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# Italo-American Diplomatic Relations, 1861-1882

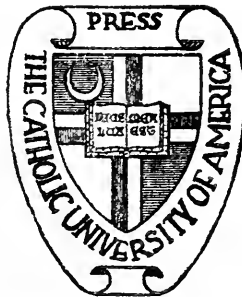
The Mission of George Perkins Marsh, First  
American Minister to the Kingdom of Italy

A DISSERTATION

SUBMITTED TO THE FACULTY OF THE GRADUATE SCHOOL OF ARTS AND  
SCIENCES OF THE CATHOLIC UNIVERSITY OF AMERICA IN PARTIAL  
FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY

BY

SISTER MARY PHILIP TRAUTH, S.N.D., A.B., M.A.



THE CATHOLIC UNIVERSITY OF AMERICA PRESS  
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1958

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ITALO-AMERICAN DIPLOMATIC RELATIONS,  
1861-1882

THE MISSION OF GEORGE PERKINS MARSH,  
FIRST AMERICAN MINISTER TO THE  
KINGDOM OF ITALY

This dissertation was approved by Friedrich Engel-Janosi, Jur.D., Ph.D., Professor of Modern European History, as director and by John T. Farrell, Ph.D., and Alessandro Santi Crisafulli, Ph.D., as readers.

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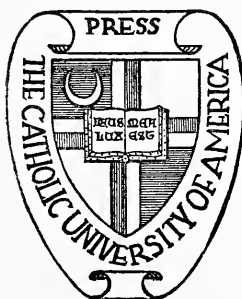
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## TABLE OF CONTENTS

	PAGE
INTRODUCTION .....	xi
CHAPTER	
I. ITALY AND THE CIVIL WAR .....	1
II. ITALY AND THE AFTERMATH .....	35
III. THE UNITED STATES AND ITALIAN PROBLEMS .....	49
IV. ITALO-AMERICAN TREATIES .....	81
V. ITALO-AMERICAN RELATIONS WITH THIRD POWERS ....	119
CONCLUSION .....	150
APPENDIX: <i>The Marsh Despatches and Some Aspects of the Risorgimento Denouement</i> .....	161
BIBLIOGRAPHY .....	178
INDEX .....	184



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## INTRODUCTION

Diplomatic relations between the United States and Italy span approximately a century, and yet they still await a chronicler. The only available general survey is a brief dissertation, *Italia e Stati Uniti-Relazioni diplomatiche, 1861-1935*, by Livio Chersi.<sup>1</sup> This is based on *Foreign Relations* and other printed sources. In 1907 H. Nelson Gay brought out a short article in *Nuova Antologia* entitled "Le relazioni fra l'Italia e gli Stati Uniti." Eager student of the Risorgimento, Gay had perused the archives of the American legations in Rome, Brussels, and Antwerp and extracted from their interesting depths the main outlines of the story of Garibaldi and the Civil War, but the narrative of "Le relazioni...." does not go beyond 1871. Some of the pertinent documents were printed in *Century* magazine in 1907, and these records, translated into Italian, appear with "Le relazioni...." in a posthumous compilation of some of Gay's writings, *Scritti del Risorgimento*.<sup>2</sup> Enlightening as these articles are, they do not include cross-references to other diplomatic records on the same subject, and so leave incomplete even the chronologically limited areas treated. Other monographs on particular phases of Italian-American relations have also appeared. The present work is an inaugural attempt at a detailed exposition of the major aspects of Italo-American diplomatic relations from 1861, the year of the proclamation of the united Italian kingdom, to 1882, the year of the death of George Perkins Marsh, first United States minister to Italy. The big, broad strokes of the picture stem from the despatches to and from Mr. Marsh. The fine lines of the details were drawn from a galaxy of other records in the National Archives. A serious attempt was made to investigate each set of diplomatic documents directly pertaining to an Italian problem or involving the activity of the Italian representative in Washington. In particular instances, such as that of the Treaty of Wash-

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<sup>1</sup> Trieste: Edizioni Alabarda, 1937.

<sup>2</sup> Roma: La Rassegna italiana, 1937.

ington, 1871, where the documents have been published *in extenso*, the printed sources were used. Quite obviously, it is neither possible nor of great value to treat every topic found in the voluminous records. In making selection for this book, two considerations were uppermost in mind: Which facts best illustrate the implementation of the basic aim of the United States in her relations with Italy in the period under consideration; and which, though perhaps minute, are worth recording because they signify the inauguration of enduring policy? Interesting, supplementary details that constitute the delight of research among documents hitherto unexplored must often be sacrificed for the sake of requisite brevity and clearness. Guides for the Italophile to these little mines of information are given in the notes.

If at times the relations between Italy and the United States in the first twenty-one years considered here appear idyllic, the happy result is partly to be traced to calculated policy; but most of all, perhaps, to the fact that there were no fundamental differences in the professed philosophy of the two governments, no dynamic power-political issues at stake, no clashes of vital interests. On the contrary, there was mutual admiration and a feeling of moral kinship that showed itself as early as 1861 in the official congratulations to Victor Emmanuel II as to one who had accomplished a task "so entirely in accordance with the wishes of the Italian people";<sup>3</sup> and in Cavour's assurance that the United

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<sup>3</sup> Seward to Bertinatti, April 13, 1861, Washington, *Notes to Italy* (hereafter designated as *To It.*), vol. 6, Foreign Affairs Section, National Archives, Washington, D. C. Unless explicitly stated otherwise, all subsequent correspondence cited is from the records of the Foreign Affairs Section.

In the anxiety that followed the taking of Ft. Sumter, Secretary Seward penned merely a brief note of acknowledgment to the announcement of the new title of Victor Emmanuel II. Italian envoy, Bertinatti, prudently refrained from despatching this curt message to Turin. By seizing the opportune occasion, Bertinatti extracted a warm message of congratulation from the Secretary and permission to suppress the short letter previously sent. The suppressed letter is not in the National Archives but is printed in Ministero degli affari esteri, *I documenti diplomatici italiani* (Roma: La libreria dello stato, 1952), I, 109. This is an enclosure to Bertinatti to Cavour, R. *confidentiale* 77, April 25, 1861, in *ibid.*, pp. 107-108.

States would see in Italy a country whose strivings had been greatly impelled by the force of the American example.<sup>4</sup> Notwithstanding civil war and the miseries of Reconstruction in the United States; and insurgent action, war, and inexperience in Italy, these mutual sentiments were jealously fostered by each government. Both Victor Emmanuel II and Humbert I expressed them. Every president from Lincoln to Arthur was of the same mind.

The official agents in whose hands were placed the diplomatic tools for cementing these friendly feelings were generally of high calibre. For the United States, especially noteworthy were Secretaries of State William H. Seward and Hamilton Fish, as well as envoy George Perkins Marsh. For Italy, there were such foreign ministers as Camillo Benso di Cavour, Bettino Ricasoli, and Emilio Visconti-Venosta, along with such capable representatives as Giuseppe Bertinatti, Luigi Corti, and Alberto Blanc. Those derogatory remarks which may be made about Reconstruction politics and the "Dominion of dryasdust"<sup>5</sup> in post-Risorgimento Italy, are fortunately inapplicable to the major proponents of Italo-American relations, 1861-1882. As these individuals move across the scene of our story, biographical details will be supplied in the notes, but since the papers of George Perkins Marsh are of such prime importance for our subject, a few additional remarks on his career are opportune here.<sup>6</sup>

George Perkins Marsh liked to think of himself as a liberal, cosmopolitan savant. Actually, his liberalism extended only as far as constitutionalism, Protestantism, and perhaps Judaism; he never really shed his New England background; and his prodigious

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<sup>4</sup> Cavour to Bertinatti, March 19, 1861, Turin. Enclosure to Bertinatti to Seward, April 11, 1861, Washington, *Notes from Italian Legation* (hereafter designated *From It.*), vol. 3.

<sup>5</sup> Title of Chapter two on immediate post-Risorgimento politics in Cecil J. S. Sprigge, *The Development of Modern Italy* (New Haven: Yale University Press, 1944), pp. 47-61.

<sup>6</sup> These biographical remarks are taken from David Lowenthal, *George Perkins Marsh*, unpublished doctoral dissertation, University of Wisconsin, 1953. The few exceptions are indicated.

learning was broad rather than deep. Born in 1801 in Woodstock, Vermont, Marsh grew up under that sternest of taskmasters, his father, and went on from Phillips's Academy at Andover, Massachusetts, to Dartmouth College, and then to the study of law. The Marshes were enormously proud of the fact that their ancestors had come over to America as early as 1633, that they were one of the first families to emigrate from Connecticut to Vermont, that their family owned the finest estate in Woodstock and was recognized there as socially beyond a peer. In the exclusiveness of the parental circle Marsh received untarnished from his forebears an intense dislike for Catholicism, a Calvinistic respect for worldly wealth and success, and wholesome habits of godly-living. These characteristics accompanied him all through his life.

Marsh was a man who knew anxiety and sorrow. Indeed, one is tempted to the conclusion that his life-long absorption in esoteric study was not just a full flowering of the spirit of the romantic age, but rather a form of sublimation. Marsh's private affairs were marked by persistent failure. He hated his profession of law and practiced it only when he had to do so. He always needed money. His investments in a newly founded woolen mill were nearly all lost. The same is true of subsequent adventures in rail-roading, farming, and a marble works. Marsh's family life was stamped with grief. His first wife and his eldest son died within five years of his marriage. His second son grew up only to die prematurely a disillusioned Civil War veteran and alcoholic consumptive in a New York boarding house. His second wife, Caroline Crane Marsh, was for years a bedridden invalid.

Only as a scholar and diplomat did Marsh have a modicum of success. He had a genius for languages and was early recognized as one of the few American experts in the Nordic languages. Marsh was elected to Congress in 1843 and served to 1849. In Washington he became a favorite of the diplomatic circle in which milieu he was able to move with grace and ease thanks to his native good breeding and linguistic proficiency. From 1849 to 1853 Marsh was United States minister to Constantinople. Here he contacted a variety of refugees from the mid-century European revolutions. The most outstanding feat of the Constantinople mission was the successful investigation of the imprisonment of



Dr. Jonas King, American missionary in Greece. After slaving over endless manuscripts in modern Greek, Marsh was able to secure the release of the minister. The United States government was slow to recognize the services of the envoy to Turkey, however, and only after several years of embarrassing wire-pulling did Marsh receive the recompense of \$9,000. The change of administration in 1853 brought Marsh back to Washington and a futile attempt to mend his financial fences. As usual, his business ventures met little success, and Marsh dreamed again of a diplomatic post. It took all of his own ingenuity and that of his senator-nephew, George F. Edmunds, to secure the mission to the newly-united country of Italy in 1861, but Marsh did it, and then held on to his post to his dying day.

Italy exactly suited Marsh. The climate was agreeable, there was sufficient leisure for his beloved studies, and the obligations of the mission were really not onerous. Marsh thoroughly enjoyed the social life at the legation. He soon became friendly with everyone whom it was important to know, from Victor Emmanuel II and Bettino Ricasoli to that charming, if not too edifying, priest and retired professor, Father Giuseppe Filippo Baruffi. Not only did Marsh like Italy, but he felt it important for him to remain as long as possible in his position, if only for the financial gain. Although Marsh continuously complained of not being sufficiently supplied with money, the truth remained that while on mission he had a steady income—inadequate, he felt sure, but at any rate, definite. It was necessary that Marsh make his mission important. His relations with the Italian authorities were scrupulously correct. His despatches home were nearly always packed with information. Much of this was excellent diplomatic reporting, but much was also sheer gossip or the sounding off of old prejudices. The exciting days of the dying papal state furnished an unusual opportunity for Marsh to indulge in anti-papal diatribes. The Church was regarded as the personification of tyranny, reaction, and superstition. To talk of reforming her was a contradiction in terms. The temporal power was an “incubus” which “for a thousand years had crushed down the life” of Italy.<sup>7</sup>

<sup>7</sup> Marsh to Seward, no. 28, October 28, 1861, Turin, *Italian Despatches* (hereafter referred to as *ID*), vol. 10.

To Marsh, the solution of the Roman Question was simple. Just let Italy be firm enough and root out the centuries-old evil with daring force.<sup>8</sup> Marsh always regretted that in this matter as in so many others, Italy had sold her freedom to France. The September Convention of 1864 Marsh regarded as the biggest mistake Italy ever made.<sup>9</sup> As late as 1881 he wrote that Italians had never yet outgrown the concept that Paris was the real capital of Italy.<sup>10</sup>

Marsh's diplomatic reports were the most spectacular part of his career in Italy. Once the critical days of the Civil War were over, a man of the extraordinary gifts of Marsh could brush off the routine duties of a diplomat with comparative ease. Even the negotiation of several treaties, the participation in the settlement of an Italo-Swiss boundary dispute, and the confusion of European war left Marsh free to study and complete several books; notably, *The Origin and History of the English Language*, *Man and Nature*, a geographical study, and *Medieval and Modern Saints and Miracles*, which Marsh said he felt it a duty to write in order to reveal to his innocent Protestant brethren in America the machinations of the Catholic clergy.<sup>11</sup> This book is merely the summation and enlargement of the anti-Catholic theme that pervades the entire set of Marsh diplomatic despatches.

More lobbying enabled Marsh to stay in Italy throughout the interesting period of her weaning away from France and growing rapprochement with Germany. With keen satisfaction, Marsh watched the Italian weathervane turn eastward. Back in 1843 he had delivered a discourse on the "Goths in New England," in which he had proposed the theory of the superiority of the noble Goths, the supposed ancestors of "Novanglia," the originators of the enterprising spirit of America.<sup>12</sup> The Italian move toward the

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<sup>8</sup> Marsh to Fish, no. 323, November 23, 1870, Florence, *ID*, vol. 13.

<sup>9</sup> Marsh to Fish, no. 299, Confidential, August 26, 1870, Florence, *ibid.*

<sup>10</sup> Marsh to Frelinghuysen, no. 1010, Confidential, December 21, 1881, Rome, *ID*, vol. 19.

<sup>11</sup> This is the theme of the "Introduction" of the book (New York: Harper & Brothers, 1876).

<sup>12</sup> Discourse delivered at the anniversary of the Philomathesian Society of Middlebury College. Middlebury, Vt., 1843.

Teutonic world, Marsh viewed as a step in the right direction. Unfortunately the American envoy did not live to see the consummation of the Triple Alliance. In the very year of its formation, he died. Marsh's critical views on some other aspects of the Risorgimento denouement are set forth in the appendix to this study.

While the student is amused at Marsh's utilitarianism which caused him to think of nearly everything in terms of dollars and cents; while one seeks to understand his prejudices; one is, nevertheless, forced to admit that with all his faults, Marsh was the right man in the right place at the right time. If George Bancroft had not already captured the epithet of "perfect diplomat,"<sup>18</sup> George Perkins Marsh might very easily have the expression applied to him.

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<sup>18</sup> Count Otto zu Stolberg-Wernigerode, *Germany and the United States during the Era of Bismarck* (Reading, Pennsylvania [1937]), p. 99, citing Poschinger, *Fürst Bismarck: neue Tischgespräche*, II, 274.



## CHAPTER I

### ITALY AND THE CIVIL WAR

American diplomatic relations with Sardinia had been opened in 1838 and steadily maintained. When on March 17, 1861, Victor Emmanuel II of Sardinia assumed the title, "King of Italy," the chargé d'affaires, Joseph Bertinatti, was promoted to the rank of Italian minister-resident.<sup>1</sup> Since a change of administration in the United States government had almost invariably come to mean a clean sweep of American legations abroad, the Italian post was conveniently ready for a new incumbent. George Perkins Marsh was duly accredited to the monarch at Turin<sup>2</sup> under his new title, "King of Italy." The new envoy extraordinary and minister-plenipotentiary was serious, scholarly, tall, impressive-looking, if not handsome, and experienced. His would be the task of forwarding the cause of the federal government on the Italian diplomatic front of the Civil War.

The major concern of the United States regarding Italy between 1861 and 1865 was to prevent the recognition of the Confederacy and to obviate the rendering of aid and comfort to the enemy. The achievement of both these aims received its chief threat in the realm of maritime affairs. The long highly-indented coastline of Italy could provide many a covert hiding place for a Confederate ship, while the dependence of the Italian cotton mills on raw material from the South made recognition very probable. These threats became more ominous as it was realized that

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<sup>1</sup> Bertinatti to Seward, May 28, 1861, Washington, *From It.*, vol. 3. Diplomatic relations with Sardinia were opened primarily to stimulate the tobacco trade. A commerce treaty with the kingdom was secured very soon in 1838, but the Piedmontese government monopoly of tobacco was not broken. Cf. Sister Mary Anthonita Hess, *American Tobacco and Central European Policy: Early Nineteenth Century* (Washington: The Catholic University of America Press, 1948), pp. 148-165.

<sup>2</sup> Lincoln to Marsh, April 26, 1861, Washington, *Instructions—Marsh* (hereafter cited as *Inst. GPM*), vol. 1.

Britain had indirectly recognized the Confederacy, and was surreptitiously furnishing the insurgents with ships.

The simplest thing to do was to sign a convention with Italy recognizing the Declaration of Paris of 1856 as the norm for the naval operations of each country.<sup>3</sup> At the same time the United States government agreed to sign this Declaration from which she had hitherto held aloof. Now England and France negated the adherence of the United States.<sup>4</sup> This action threw the Italian negotiations awry. Seward instructed Marsh to go ahead with the separate Italian Convention, but not to insist upon it, if His Majesty's government should appear at all reluctant.<sup>5</sup> Italy was inclined to follow the French lead, and accordingly, the Italian-American maritime convention was never consummated.<sup>6</sup> On at

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<sup>3</sup>The major points of the Paris Convention were these:

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under the enemy flag.
4. Blockades, in order to be binding, must be effective.

The United States had previously refused to sign the Convention unless an amendment would be added exempting private property even of individuals belonging to enemy states, from seizure or confiscation by national vessels in maritime war. Cf. Seward to Marsh, no. 2, April 24, 1861, Washington, *Inst. GPM*, vol. 1.

William H. Seward (1801-1872) spent nearly his whole mature life in active politics, first in New York where he was state senator and governor and on the national scene as Senator and Secretary of State. Seward was the recognized leader of the Republican Party and in the early days of the Lincoln administration, Seward was really the effective executive. Cf. Henry W. Temple, "William H. Seward" in *American Secretaries of State and Their Diplomacy*, ed. Samuel Flagg Bemis (New York: Alfred A. Knopf, 1928), VII, 3-115.

<sup>4</sup>Samuel Flagg Bemis, *A Diplomatic History of the United States* (New York: Henry Holt and Company, 1950), p. 368.

<sup>5</sup>Seward to Marsh, No. 18, Washington, September 20, 1861, *Instructions—Italy* (hereafter referred to as *Inst. It.*), vol. 1; no. 32, November 22, 1861, *ibid.*

<sup>6</sup>For negotiations with the Italian government, cf. Marsh to Seward, no. 3, June 27, 1861; no. 12, confidential, August 26, 1861; no. 14, September 2, 1861; no. 29, October 29, 1861; no. 30, November 1, 1861; Turin, *ID*, vol. 10.

least two separate occasions, however, the Italian government gave strong assurances that no Confederate ship would be admitted to Italian ports unless it were a question of adverse weather conditions or other *vis major*.<sup>7</sup> To this end, as well as to prevent the fitting out of Confederate vessels in the ports of the kingdom, effective measures would be taken to police the Italian ports.<sup>8</sup> Appreciative as Marsh was of these assurances, he was still constantly wary of rebel ships slipping into port unobserved, particularly in places where there was no United States consul or where the consul was somewhat doubtful in allegiance. Rumors frequently reached the American legation of a suspicious sloop here and an unidentified schooner there, of rebel matériel laid up at Genoa, of thousands of pairs of boots or other supplies being shipped from Spezia to the Confederates.<sup>9</sup> Increased vigilance was absolutely necessary and the American minister was ever reiterating his pleas for more and better consuls in Mediterranean ports.<sup>10</sup> This was the more necessary since all during the war there was only one American ship detailed for the Mediterranean, the *Constellation*, under Captain H. S. Stellwagen.<sup>11</sup> Further, it was said that the papal government had recognized the Confederacy,<sup>12</sup> and although one might not agree with Marsh that

<sup>7</sup> Marsh to Seward, no. 30, November 1, 1861; no. 76, July 20, 1863; Turin, *ID*, vol. 10.

<sup>8</sup> Marsh to Seward, no. 3, June 27, 1861; no. 30, November 1, 1861; Turin, *ID*, vol. 10. Seward to Marsh, no. 33, November 25, 1861, Washington, *Inst. GPM*, vol. 1.

<sup>9</sup> Marsh to Seward, no. 3, June 27, 1861; no. 25, October 24, 1861; no. 32, December 9, 1861; no. 36, January 6, 1862; Turin, *ID*, vol. 10; also no. 41, April 5, 1862; no. 46, May 12, 1862. Seward to Marsh, no. 39, January 31, 1862, Washington, *Inst. GPM*, vol. 1.

<sup>10</sup> As an instance in point, cf. Marsh to Seward, no. 30, November 1, 1861, Turin, *ID*, vol. 10.

<sup>11</sup> Marsh to Seward, no. 51, September 1, 1862, Turin, *ID*, vol. 10. Seward to Marsh, no. 92, March 7, 1864, *Inst. It.*, vol. 10.

<sup>12</sup> Leo Francis Stock (ed.), *United States Ministers to the Papal States*, Washington: Catholic University Press, 1933, pp. xxxv-xxxvii. Dr. Stock explained that although there were several Confederate agents at the Vatican at various times, no *formal* recognition of the Confederacy was ever made. Cf. Leo Francis Stock, "Catholic Participation in the Diplomacy of the Southern Confederacy," *The Catholic Historical Review*, XVI (April, 1930), 1-18.

this was evidence that all tyrannies and seats of reaction have a natural affinity,<sup>13</sup> it must be admitted that Civita Vecchia was close enough to make even the most casual of Union diplomats anxious.

In general, Italian public opinion during the war see-sawed according to the fortunes of the Union army. The official attitude of the Italian government, on the other hand, remained uniformly pro-Union after the death of Cavour on April 6, 1861. Cavour had inclined somewhat to the South, but his successor, Ricasoli, was able to study the question more carefully and had reached just the opposite opinion.<sup>14</sup> It was through the influence of Ricasoli and statesmen of his persuasion that the United States received the afore-mentioned assurances of cooperation and a guarantee of Italian non-interference. Ricasoli himself had rejected the proposal that the Italian king act as mediator between Britain and the United States in the *Trent* affair. In fact, he had condemned in decided terms all foreign mediations, interventions, arbitrations, and international congresses, the day of all of which he hoped had passed away forever, and he had added that the only true method of settling national difficulties was by direct, open, straightforward negotiation between the parties in interest.<sup>15</sup> Seward's rejoinder to the intelligence of the decidedly adverse expressions of the Baron on the suggestion of mediation was cryptic: "I do not know whether the Baron would esteem it

<sup>13</sup> Marsh to Seward, no. 87, confidential, March 21, 1864, Turin, *ID*, vol. 11.

<sup>14</sup> Marsh to Seward, no. 5, July 6, 1861, and no. 6, July 22, 1861, *ibid*.

Baron Bettino Ricasoli (1809-1880), founder of the journal, "La Patria," actively promoted the union of Tuscany with Piedmont. In 1861 he was elected Italian deputy and soon was chosen the successor to Cavour. Having resigned in 1862, he was elected again in 1866. Ricasoli favored the Prussian alliance and futilely tried to conciliate the Vatican. The austerity of both his private life and his public career earned for him the title, *baron de fer*. With the American envoy, Ricasoli was so close that Marsh could report, ". . . My personal relations with this eminent statesman are such, that he habitually converses with me in a tone of greater freedom than our respective official positions would give me a right to expect." Marsh to Seward, private, June 20, 1866, Florence, *ID*, vol. 11. Cf. Niccolò Rodolico, "Ricasoli," *Enciclopedia italiana*, XXIX (1936), 233-234.

<sup>15</sup> Marsh to Seward, no. 34, December 23, 1861, Turin, *ID*, vol. 10.



complimentary, but if you should think it would not be disrespectful, you [Marsh] may say to him that he speaks on the subject very like an American statesman."<sup>16</sup> In July, 1863, the Minister of Foreign Affairs flatly turned down the proposal of the British government that Italy publish a declaration on the subject of federal and confederate ships of war in Italian ports, providing that ships of one party should not be allowed to sail within less than twenty-four hours after a vessel of the other should have left the harbor.<sup>17</sup>

Only once did the official action of the Italian government during the years of the Civil War cause any chagrin to the United States. Ever since 1848 the United States navy had had the right to deposit naval stores at Spezia duty-free. During the Civil War, after a trial case, the privilege was granted to merchant ships.<sup>18</sup> Quite unexpectedly, in 1864 the Italian government decided to use Spezia for her own military depot. The United States was then in a quandary since it was no longer suitable to have the American supply deposit there. The Italian government offered various alternatives, among them, San Pietro, San Antiocho, and Cagliari. The United States judged all three unsuitable. Colonel Long, in charge at Spezia, was then ordered to bring a big ship close to shore and use it for a supply base. This was done and the subject was dropped for a number of years.<sup>19</sup>

Every effort was made by the United States government to maintain a friendly policy toward the infant Italian navy. In 1863, in spite of war and blockade, the royal steam-sloop, *San Giovanni*, was allowed to sail along the American coast south from Philadelphia past the Keys and New Orleans and up the Mississippi. No questions were asked as to the purpose of the expedition, and at one point, the United States even supplied the sloop with coal

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<sup>16</sup> Seward to Marsh, no. 38, January 14, 1862, Washington, *Inst. It.*, vol. 1.

<sup>17</sup> Marsh to Seward, no. 73, July 6, 1863, Turin, *ID*, vol. 10.

<sup>18</sup> Marsh to Seward, no. 27, October 27, 1861, Turin, *ID*, vol. 10. Seward to Marsh, no. 35, December 2, 1861, Washington, *Inst. GPM*, vol. 1.

<sup>19</sup> Marsh to Seward, no. 95, June 6, 1864; no. 103, September 20, 1864; no. 107, October 24, 1864; no. 109, November 22, 1864; Turin, *ID*, vol. 11. Seward to Marsh, no. 105, August 1, 1864, Washington, *Inst. GPM*, vol. 1; no. 116, October 17, 1864, *ibid.*, vol. 2.

—although reimbursement for the \$440 expended was later scrupulously asked.<sup>20</sup> Even greater consideration was shown the next year to the Bassecourt mission seeking information in behalf of The Royal Military Administration.<sup>21</sup> These courtesies would be considered perfectly natural in time of peace. That they were unhesitatingly extended in the midst of the bloodiest war ever fought on American soil bespeaks more than ordinary good-will.

The Civil War diplomatic despatches reveal three instances of mutual Italian-American aid rendered to ships in distress. In January, 1864, the *Re d'Italia* got stranded and the New York authorities used all possible means to help.<sup>22</sup> Two months later, Lt. Benedetto Onorato, captain of the port of Trapani, rescued the ship, *Ella*, during a violent storm. The President of the United States rewarded him with a gold medal for his services.<sup>23</sup> In May, 1864, one Captain Chirico of the royal ship, *Aurora*, at great personal sacrifice aided the United States prize schooner, *Sophia*. He received as recompense a gold watch and a month's salary for each man on the *Aurora's* crew.<sup>24</sup> At almost the same time, in

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<sup>20</sup> Bertinatti to Seward, June 2, 1863; October 5, 1863; October 7, 1863; *From It.*, vol. 3. Seward to Bertinatti, June 5, 1863; September 23, 1863; October 8, 1863; *To It.*, vol. 6. Welles to Seward, October 12, 1863, *Miscellaneous Letters, Department of State* (hereafter referred to as *Misc. Let.*), October, 1863.

<sup>21</sup> The Marquis de Bassecourt, Lt. Col. on the General Staff of the Italian Army, was charged by His Majesty with a special "scientific and military" mission to the United States. No pains were spared to accommodate him even to the granting of confidential information. Cf. Bertinatti to Seward, January 21, 1864; March 14, 1864; *From It.*, vol. 3. Seward to Bertinatti, January 26, 1864; March 17, 1864; March 28, 1864; *To It.*, vol. 6. Canby to Seward, War Department, January 25, 1864, *Misc. Let.*, Jan., 1864; Canby to Seward, March 24, 1864, War Department, *Misc. Let.*, March, 1864.

<sup>22</sup> Cerruti to Marsh, January 12, 1864, Turin. Enclosure to Marsh to Seward, no. 85, March 1, 1864, Turin, *ID*, vol. 11.

<sup>23</sup> Marsh to Seward, no. 92, April 17, 1864; no. 97, June 28, 1864; Turin, *ID*, vol. 11. Seward to Marsh, no. 98, May 9, 1864; no. 100, May 28, 1864; Washington, *Inst. It.*, vol. 1. Seward to Bertinatti, May 27, 1864, *To It.*, vol. 6.

<sup>24</sup> Bertinatti to Seward, May 21, 1864, Washington, *From It.*, vol. 3. Seward to Bertinatti, May 24, 1864; May 27, 1864; *To It.*, vol. 6. Marsh to Seward, no. 129, December 28, 1865, Florence, *ID*, vol. 11. Seward to

Chesapeake Bay the *S. Cloud*, hired ship of the U. S. quartermaster, rammed into the Italian *Nuova Grazia* and sank her. The Italian legation reported a total loss, although afterward the royal boat was seen in the tow of a tug.<sup>25</sup> There is no record of any redress of grievances on the part of the United States or of any further protest on the part of Italy.

The loudest complaint from Bertinatti on naval affairs came in May and June, 1864, when a marine court of New York gave a strong impetus to desertions from Italian ships by presuming to decide cases involving renegade Italian sailors. This action of the judge by-passed the Italian consul, but was justified by the offending officer on the pretext that the treaty made with Sardinia in 1838, did not extend to the government of all Italy. Without directly defending the American judge, the State Department informed the legation that the only remedy was congressional action regarding the arrest of deserting seamen. The Department, having made this dictum, proceeded to engineer through congress in an amazingly short time, the desired legislative action.<sup>26</sup> Such a conciliatory move on the part of the United States is particularly impressive because just a few weeks before, a royal decree had been issued that no vessel of war, armed and on a cruise, of any belligerent state might enter and sojourn with prize in the ports of the kingdom except in case of distress.<sup>27</sup> Upon the representations of Marsh, the Ministry of Foreign Affairs had said that the decree did not apply to the United States which at the time had only one vessel in the Mediterranean. If the American forces there should be increased or Confederate ships appear, however, a less

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Marsh, no. 111, September 5, 1864, enclosing Welles to Seward, Navy Department, May 25, 1864; no. 140, January 29, 1866, Washington, *Inst. It.*, vol. 1.

<sup>25</sup> Bertinatti to Seward, May 31, 1864, Washington, *From It.*, vol. 3. Dana to Seward, War Department, July 15, 1864; enclosing: Meigs to Stanton, July 11, 1864, and Rucker to Meigs, June 27, 1864; *Misc. Let., July, 1864*. Seward to Bertinatti, June 16, 1864; July 29, 1864; *To It.*, vol. 6.

<sup>26</sup> Bertinatti to Seward, May 21, 1864, Washington, *From It.*, vol. 3. Seward to Bertinatti, May 25, 1864; June 17, 1864, Washington, *To It.*, vol. 6.

<sup>27</sup> The decree was given at Turin, April 6, 1864. Cf. Marsh to Seward, no. 91, April 16, 1864, Turin, vol. 11.

liberal interpretation was probable. This restriction of the Italian government remained theoretically in force until July, 1865.<sup>28</sup>

Vital as was the question of *de iure* recognition of the Confederacy inherent in Italo-American maritime relations during the Civil War, by far the most controversial aspect of the intercourse between the two countries had to do with military affairs. Even before Marsh arrived at his post, offers for enlistment in the Union Army had poured into the American legation in Turin with embarrassing importunity. It seemed to Romaine Dillon, secretary of the legation and chargé d'affaires *ad interim*, that all the masculine flotsam and jetsam of the Garibaldian heroics, as well as a goodly number of the noble band of Redshirts themselves, were agog for service on the American battlefields. They envisioned high adventure, glory, a fat recompense, and all the cost of transportation American-paid. In desperation, Dillon was obliged to publish in the *Gazzetta Ufficiale* of May 17, 1861, a notice to the effect that he had "no knowledge official or non-official of any instructions of his Government authorizing any such enlistments, out of the United States."<sup>29</sup> But offers for service only increased. Rumor had it that even Giuseppe Garibaldi himself was about to embark on the noble crusade to free the slaves.

If glamour, a noble cause, and success appeared just in the offing to the gallants of Italy, to Cavour, as has been mentioned, the case was much more portentous. He doubted the success of the Union arms and feared a broken republic across the Atlantic just at the time that Italy was firmly establishing her own constitutional government.<sup>30</sup> On June 2, 1861, the first birthday of Italian independence, the kingdom began a triduum of celebrations to start with a military review and to end with a grand ball

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<sup>28</sup> *Ibid.*

<sup>29</sup> Dillon to Seward, June 10, 1861, Turin, *ID*, vol. 10. Dillon had arrived in Turin but a short time before. (Arrival announced in Dillon to Seward, April 16, 1861, Turin, *ID*, vol. 10.) His imprudent criticism of the federal government and indiscreet expressions of Confederate sympathy brought about his early dismissal. Cf. Marsh to Seward, February 6, 1862, Turin, *ID*, vol. 10. The letter of recall is Seward to Dillon, March 8, 1862, Washington, *Inst. It.*, vol. 1.

<sup>30</sup> Marsh to Seward, private, September 4, 1861, Turin, *ID*, vol. 10. Cf. Seward to Marsh, no. 5, June 21, 1861, Washington, *Inst. GPM*, vol. 1.

at the royal palace. On this occasion Dillon had the honor of being the first American representative to be presented to the King as Sovereign of Italy.<sup>31</sup> But it was probably not yet known in Turin that during those same early June days the *Savannah* had sailed from Charleston flying the Confederate flag; that she had captured a federal merchant brig and then was herself taken by the U. S. man-of-war, *Perry*; and that subsequent judicial procedures were to compel at least *de facto* recognition of the belligerent status of the Confederacy.<sup>32</sup> Cavour's prognosis of the rebellion might yet come true, but suddenly he became too ill to react to the situation. Burning up with fever, weakened by too frequent and injudicious bleedings, the great strategist of Italian unity was not allowed time either to change his opinion on American affairs or to implement the results of his forebodings. On June 6, he died. The next evening Dillon attended the funeral obsequies in the Church of the Madonna degli Angeli. The following morning the remains were transferred to the burial vault of the Cavour family at Santena, some six miles from Turin.<sup>33</sup>

Marsh was delayed on his way to Italy by a stop-off in England where he wrote several articles to offset propaganda hostile to the Union cause.<sup>34</sup> Although the new envoy received mention of the gratitude of the State Department for his services, he always regretted not having known Cavour, with whom he had anticipated very agreeable private and official relations. By June

<sup>31</sup> Dillon to Seward, June 10, 1861, Turin, *ID*, vol. 10.

<sup>32</sup> Channing, *op. cit.*, VI, 345-346.

<sup>33</sup> Dillon to Seward, June 10, 1861, Turin, *ID*, vol. 10. Cf. Seward to Marsh, no. 5, June 21, 1861, Washington, *Inst. GPM*, vol. 1: "We hear with sincere regret and sorrow of the death of Count Cavour, a statesman honored none the less by the people of this country because the theatre of his labors is remote from our own."

<sup>34</sup> Marsh to Seward, no. 2, May 29, 1861, Paris, *ID*, vol. 10. Action approved in Seward to Marsh, no. 5, June 21, 1861, Washington, *Inst. GPM*, vol. 1. John Lothrop Motley, newly-appointed to Vienna in 1861, made a similar sojourn in England, and for the same purpose. Just as Marsh was able to report the constant friendliness of Italy to the Union government, so Motley could assure the State Department of Austria's abiding goodwill. Cf. Sister M. Clare Lynch, O.S.B., *The Diplomatic Mission of John Lothrop Motley to Austria, 1861-1867* (Washington: The Catholic University of America Press, 1944), pp. 74-84.

23, 1861, Marsh was finally settled in his new post and ready for his scheduled first audience with the King. On this occasion the American representative delivered his letter of credence, paid the usual compliments to the King, stated his regret and sympathy at the death of Cavour, and expressed his appreciation of the honor of being the first diplomat accredited to the first king of Italy. His Majesty received these remarks very graciously, using some terms personally complimentary to the diplomat and testifying much respect for the President and for the Secretary of State. He further manifested a strong interest in the welfare and prosperity of the United States and much solicitude for an honorable termination of the contest between the government and the seceding states.<sup>35</sup>

While Marsh was becoming acclimated to his new post, an obscure United States consul at Antwerp, a certain J. W. Quiggle, was secretly trying his hand at high diplomacy. On June 8, 1861, the day of the funeral of Cavour, Quiggle sent off to Garibaldi, now in honored and dignified semi-retirement, an astonishing message. "General Garibaldi," he said, "The papers report that you are going to the United States, to join the army of the North in the conflict of my country. If you do, the name of *La Fayette* will not surpass yours." He assured the General that there were "tens of thousands of American citizens who will glory to be under the command of the 'Washington of Italy.'" If Garibaldi were really going to the States, Quiggle would resign his position as consul and join him.<sup>36</sup> The great Italian hero, thinking possibly of Rome and Venetia, answered that much as he had wished and still was wishing to go to America, many circumstances prevented his departure. On the other hand, he said, if the United States Government believed his services of some use, he would go to America, if he did not find himself occupied in the defense of his own country. He would also like to know whether or not the current strife meant the emancipation of the negroes.<sup>37</sup> Quiggle replied that their correspondence had been communicated to the

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<sup>35</sup> Marsh to Seward, no. 3, June 27, 1861, Turin, *ID*, vol. 10.

<sup>36</sup> Enclosure to Quiggle to Seward, no. 20, July 5, 1861, Antwerp, *Consular Despatches—Antwerp*, vol. 5.

<sup>37</sup> Garibaldi to Quiggle, June 27, 1861, Caprera, enclosure no. 2 to *ibid*.

State Department, and as to the slavery question—"You have lived in the United States; and you must readily have observed, what a dreadful calamity it would be to throw at once upon that country in looseness, four millions of slaves." Still, if this war should be prosecuted with the bitterness with which it had been commenced, it would not be surprising if it resulted in the extinction of slavery in the United States, no matter what the consequences.<sup>38</sup>

The Quiggle correspondence reached Washington just about the time of the battle of Bull Run. General Winfield Scott was nearing his dotage. General Irvin McDowell had not proved as efficient as had been expected. The Confederates appeared to be more than holding their own. Small wonder then that the Secretary of State despatched a confidential message to H. S. Sanford, minister of the United States at Brussels, and specially charged with the safeguarding of federal interests in Europe, to enter at once into communication with Garibaldi. He was to tell the distinguished soldier of freedom that the United States Government believed his services would be exceedingly useful; in fact that they were desired and invited. Garibaldi was to be tempted with "a Major-General's Commission in the Army of the United States, with it's[sic] appointments, with the hearty welcome of the American people." He was to be assured that the North was a nation resolved to remain united and free, that it had abundant resources, and numbers unlimited at its command. Finally, Seward stated, "General Garibaldi will recognize in me, not merely an organ of the Government, but an old and sincere personal friend."<sup>39</sup> Sanford saw

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<sup>38</sup> Quiggle to Garibaldi, July 4, 1861, Antwerp, enclosure no. 3 to *ibid.*

<sup>39</sup> Seward to Sanford, Confidential, July 27, 1861, Washington, *Instructions—Brussels*, vol. 2. This volume contains Seward's original letters. A typed version of this letter, with wording slightly (but unsubstantially) changed, and allegedly taken from a clipping from the New York *Times* of September 28, 1907, is pasted in *Instructions—Belgium* (copies of original despatches), vol. 1. The item was really from the *Times* of September 29, 1907. The article in question was a report of a paper read by H. Nelson Gay at Perugia before the National Society of the History of the Resurrection. One new aspect of the Garibaldi story, not to be gleaned from the diplomatic documents, is the origin of the rumor that gave the impetus to the Quiggle letter:

"Signor Vecchi, Secretary of Garibaldi, writing at Caprera in 1861 a

Quiggle as soon as he could, personally handed him the confidential despatch received from Seward, and on the morning of August 15, 1861, started out on his mission to Italy.<sup>40</sup> While Sanford was hurrying on his way, Quiggle's courier was likewise speeding to Caprera with a copy of Seward's confidential letter and a further message from Quiggle to Garibaldi. The consul assured the old warrior that soon a confidential messenger would arrive "offering to you the highest Army Commission which it is in the power of the President to confer." Let Garibaldi accept and "thousands of your countrymen (Italians), thousands of Hungarians, and tens of thousands of my countrymen will rush to your arms upon your very landing at New York."<sup>41</sup>

Sanford arrived in Turin on August 20 and consulted with Marsh, as his instructions had directed.<sup>42</sup> They decided to send Marsh's private secretary, an Italian-American, Mr. Joseph Artoni, as confidential messenger to Caprera.<sup>43</sup> Sanford's letter was cagily worded so as to leave the United States free about the exact recompense for the General.<sup>44</sup> Little did Sanford, Marsh, or

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letter of thanks in Garibaldi's name to the well-known American author, Tuckerman, who had written a biographical sketch of the General, added the suggestion, on his own initiative, that Garibaldi should help in the war between the North and the South. From this arose the rumor that Garibaldi had offered his services and that they had been accepted.

"The American consul General at Antwerp, Mr. Quiggle, wrote to Garibaldi congratulating him on his attitude as set forth by the rumor. . . ." The *Times* article continued with a statement which is not substantiated by the diplomatic documents: "To this letter the General replied, that the rumor was unfounded and that the only condition under which he could be induced to join the Northern army would have to be based upon a positive declaration that one purpose of the war was to free the slaves."

<sup>40</sup> Quiggle to Seward, no. 21, August 15, 1861, *Consular Despatches—Antwerp*, vol. 5.

<sup>41</sup> Quiggle to Garibaldi, August 15, 1861, Antwerp, enclosure to *ibid*.

<sup>42</sup> Marsh to Seward, no. 11, August 19, 1861, Turin, *ID*, vol. 10, stated that Sanford was due that evening. Cf. Sanford to Seward, Confidential, August 27, 1861, Turin, *Belgian Despatches*, vol. 5. Here Sanford said he had arrived on August 20.

<sup>43</sup> Marsh to Seward, no. 12, Confidential, August 26, 1861, Turin, *ID*, vol. 10.

<sup>44</sup> Sanford to Seward, Confidential, August 27, 1861, Turin, *Belgian*



Artoni realize that through the indiscretion of Quiggle, the United States was already committed. To complicate the situation still more, it proved impossible for Artoni to proceed to Garibaldi by the indirect route planned, and he was compelled to await the departure of the bimonthly steamer for Maddalena. This delay meant that Artoni would reach Garibaldi in conjunction with a public deputation from Naples on local affairs, and with Col. Caspare Trecchi "on a special message from the King."<sup>45</sup>

It was not until September 4, 1861, that Sanford heard from Caprera and that word was not definite.<sup>46</sup> Garibaldi was sending

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*Despatches*, vol. 5. Enclosure: Sanford to Garibaldi, August 20, 1861, Turin: "General:

"The Governnt of the United States, having learned with much pleasure from the correspondence between yourself and the U. S. Consul at Antwerp, that you take a lively interest in our affairs, and that if not occupied in the defense of your own country, you might be disposed to take part in the contest for preserving the unity and liberty of the American people, and the institutions of freedom and self-Government, has directed me to communicate with you, and ascertain if you are now at liberty to entertain propositions on the subject.

"Should this be the case, I would be glad to have a personal interview with you at such place and time as would be most agreeable to you, and as early as your convenience will permit.

"I shall await the return of the bearer of this, Giuseppe Artoni, Esq., at Genoa, and to him you can safely entrust your letter of reply."

<sup>45</sup> Sanford to Seward, Confidential, August 27, 1861, Turin, *Belgian Despatches*, vol. 5. Caspare Trecchi was Victor Emmanuel's aide-de-camp as well as a faithful Garibaldian. He was the regular medium of royal communication with Garibaldi. Cf. George Macaulay Trevelyan, *Garibaldi and the Making of Italy* (London: Longmans Green and Co., 1928), p. 116.

<sup>46</sup> Garibaldi to Sanford, August 31, 1861, Caprera. Enclosure to Sanford to Seward, Confidential, September 18, 1861, Brussels, *Belgian Despatches*, vol. 5. The following is Garibaldi's letter to Sanford. No change has been made in the original spelling and punctuation.

"Monsieur le Ministre,

"Je serai bien heureux de pouvoir servir un pays pour lequel j'ai tant d'affection et du quel je suis citoyen adoptif; et si je ne reponds pas affirmativement et de suite à l'honorable proposition que par votre entremise m'a faite votre Gouvernement, c'est parceque je ne me crois pas entierment délié de mes devoirs envers l'Italie.

"Neanmoins, si Sa Majesté, Victorio Emmanuel croit ne pas avoir besoin de mes services, alors, dans le cas que les conditions avec les quelles

Trecchi back to the King with a letter on the subject of Sanford's communication. From the nature of His Majesty's reply—as gleaned from Trecchi by Sanford—Garibaldi's own communication may be divined. The General was free to go, the King said, but it was hoped that the soldier would remember that he was first of all a citizen of Italy and that a war by the next spring was very likely. On the other hand, he (the King) and the cabinet, both, rejected the policy which Garibaldi was now making the *sine qua non* of his remaining—immediate acquisition of Rome. The royal answer made Sanford hurry to Garibaldi. In order to avoid the week's delay involved in waiting for the bimonthly steamer to Caprera and to evade the crowds which constantly pressed to the island, Sanford chartered a small vessel in another name and was in Maddelena on September 7. Sanford immediately sent to the General the reply of the King confided to him by Col. Trecchi and he himself soon followed after.<sup>47</sup>

Sanford found the General still an invalid, but now able to leave the room in which inflammatory rheumatism had kept him confined for several months. On the evening of Sanford's arrival, September 8, they had a long conversation on the subject of Garibaldi's leaving for the States. Garibaldi said that the only way in which he could render real service, as he really wanted to do, to the cause of the United States, was as commander-in-chief of its forces; that he would go only as such, and with the additional contingent power—to be governed by events—of declaring the abolition of slavery. Unless he were commander-in-chief, he would be of little use, and unless he had the power to loose or bind slavery, the war would appear to be like any other civil

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le Gouvernement Americain entend m'accepter, soient celles que verbalement m'a indiquées votre Mandataire, vous m'aurez de suite a votre disposition.

"Je charge le Colonel Trecchi de parler au Roi et de me donner une response que aurez de suite

"Je suis. . ."

<sup>47</sup> Trecchi to Sanford, September 7, 1861, Turin. Enclosure to Sanford to Seward, Confidential, September 18, 1861, Brussels, *Belgian Despatches*, vol. 5. This despatch gave a lengthy account of the Sanford-Garibaldi interview. Cf. Sanford to Seward, Private, September 7, 1861, Genoa, *ibid.*, for a brief resumé.

war in which the world at large could have little or no sympathy. To this, Sanford observed that the President had no such powers to confer; that he, Sanford, had been authorized to communicate with the General on the subject of his letter to the United States consul at Antwerp; and if terms were acceptable, to offer him the commission of Major-General. This rank would probably carry with it the command of a large *corps d'armée* to conduct in his own way, within certain limits, in the prosecution of the war. He also informed him of the tenor of the departmental despatch of July 27<sup>48</sup> showing the appreciation in which he was held by the Government and people of the United States. This was the extent of the American offer, and it was not in Sanford's power to make any new proposition.

Garibaldi expressed himself flattered by this evidence of appreciation and grateful for the friendly sentiments manifested toward him, but said that his mind was irrevocably made up to take service only in the position already indicated. Sanford then suggested that he might be disposed to visit the United States and, after having informed himself fully of the condition of things there and the character of the struggle, make his decision. Sanford offered to facilitate such journey. This last, was something which Garibaldi thought worth considering, but stated that, at any rate, he preferred to go over to America in his own way. The very next day, on second thought, he said that it would not be expedient to make such a visit—that if he were in the United States and saw the government of the country of which he was an adopted citizen, engaged in a struggle for the salvation of republican institutions, he felt certain he would not be able to resist the temptation to throw himself in the foremost ranks in her defense, even as a private soldier, if no other position offered. But then, as he had said before, he could render no useful service in any subordinate place. And so the discussions ended.

To Quiggle, Garibaldi wrote succinctly that he had seen Mr. Sanford, and regretted to be obliged to announce that he was unable to go to America. This was not a flat refusal, however, for the message concluded optimistically: "I do not doubt of the

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<sup>48</sup> *Supra*, note 39.

triumph of the cause of the Union, and that shortly. But, if the war should unfortunately continue in your beautiful country, I shall overcome all obstacles which detain me, to hasten to the defense of a people who are so dear to me."<sup>49</sup>

Between themselves and confidentially to the Secretary of State, both Sanford and Marsh agreed that Garibaldi's choice was wise. He was so accustomed to command and was gifted with such an unusual temperament that his serving in a subordinate position was inconceivable.<sup>50</sup>

All the efforts that had been made to keep the offer to Garibaldi secret proved in the long run to be of no avail. The affair leaked to the press in a myriad of distorted forms. Quiggle blamed Sanford for bungling the negotiations, especially for attracting attention by hiring a special steamer to Caprera. Sanford blamed Quiggle for his indiscreet correspondence with the General, which was bound to lead to publicity.<sup>51</sup> Quiggle drew the shorter straw.<sup>52</sup>

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<sup>49</sup> Garibaldi to Quiggle, September 20 [10?], 1861, Caprera. Enclosure to Quiggle to Seward, no. 21, September 30, 1861, Antwerp, *Consular Despatches—Antwerp*, vol. 5.

<sup>50</sup> Marsh to Seward, no. 19, September 14, 1861, Turin, *ID*, vol. 10; Sanford to Seward, Confidential, September 18, 1861, Brussels, *Belgian Despatches*, vol. 5.

<sup>51</sup> Sanford was convinced that his mission to Garibaldi had failed primarily because Quiggle had misled the general into the belief that he was to receive the highest commission in the American Army. The unfortunate publicity, Sanford ascribed to the friends of Garibaldi who feared the absence of the leader at a time when his services might be soon needed for the cause of Italian unity. As early as September 12, 1861, Sanford had reported to Seward: "I have taken infinite pains to keep this business secret—I see some intimation of it is already in the papers here probably given out by the friends in his confidence who are alarmed at the prospect of his going & wish to excite public sentiment against it." (Private, Turin, *Belgian Despatches*, vol. 5.) Cf. Sanford to Seward, Confidential, September 18, 1861, Brussels, *ibid.* Sanford maintained that he did not directly answer the false press accounts of the offer, because he felt that Garibaldi honestly thought the highest command had been intended for him; and hence he wanted "to treat him tenderly." (Sanford to Seward, Private and confidential, September 27, 1861, and Private, October 1, 1861, Brussels, *ibid.*)

Earlier, however, the confidential envoy had been of another mind:

"I . . . have made no formal or official demand of, or proposition to him—I have been anxious all along to put ourselves in a position not to appear

On September 30, his services as consul abruptly ceased;<sup>53</sup> whereas, the Secretary of State assured Sanford that, as reported, the proceedings in execution of the instructions to visit General Garibaldi seemed in all respects considerate and proper. Perhaps wistfully, the Secretary added that Garibaldi's presence and his gallantry in our armies would have been eminently useful. It had been a source of sincere satisfaction to the President that circumstances had permitted him to extend an invitation which would have enabled Garibaldi to add the glory of helping to preserve the American Union to the many honors which he had already won in the cause of human freedom. Should Garibaldi propose to renew the correspondence with Sanford at any future time, Sanford should promptly communicate to the Secretary the views he might express. They would "always be considered with

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to be seeking aid abroad or to lay ourselves open to a refusal of any offers we might make—but Garibaldi, I observe where he had no right to do so, spoke of the *propositions* of my Govt—Mr. Quiggle wrote him a very unfortunate letter, announcing my business & tending to mislead him . . . I am able to deny as I shall if the matter gets before the public that we have ever made him any offer much more, that of the command of our army." (Sanford to Seward, Private, September 12, 1861, Turin, *ibid.*)

For Quiggle's side of the story, cf. Quiggle to Seward, no. 21, September 30, 1861, Antwerp, *Consular Despatches—Antwerp*, vol. 5. This despatch included a number of clippings from several French newspapers giving various accounts of the affair. Here, Quiggle, too, defended himself: "I did not accompany Mr. Sanford on his mission to Caprera. Allow me to say that, I sincerely regret that the Minister so unfortunately divulged his mission at Turin . . . the consequence of which was, the voice of the king, the Government, and the people was brought to bear with strong appeals not to go; and these could not but reach him but with powerful effect. I am sure that, if secrecy had been maintained, as it should have been, Garibaldi would now be on his way to the United States.

"I desire to take no responsibility in giving publicity to this affair. . . ."

<sup>53</sup> Perhaps another good word from Marsh had helped Sanford's cause. Cf. Marsh to Seward, no. 19, September 14, 1861, Turin, *ID*, vol. 10: "His [Sanford's] failure to accomplish the object of his mission . . . is not to be ascribed to any error or indiscretion on his part. He has, in my judgment, conducted the whole affair with much prudence, tact and skill. . . ."

<sup>53</sup> Mentioned in Quiggle to Seward, November 4, 1862, Philadelphia. *Consular Despatches—Antwerp*, vol. 5.

the highest respect for his character, and the best wishes for his prosperity and fame."<sup>54</sup>

The Garibaldi affair gave fresh notoriety to the already famous American cause. Volunteers flooded the American legation anew. The applicants were principally Italians, but Poles and Hungarians also offered their services. Many of them were men of military education and experience who asked positions of command, but nearly all were destitute of means of reaching America. Mainly in self defense, Marsh tried not to encourage any of these individuals. A ray of hope held out to any one of them would greatly augment the number of petitioners. Yet, in two or three cases, by way of exception, he did condescend to write a letter of introduction for a particularly worthy applicant,<sup>55</sup> or for one whose services appeared as unique as those of Eugene Godard who described himself as "aeronaut of His Imperial Majesty for the army of Italy," and who was now offering himself and his balloons for the Union army.<sup>56</sup> Sometimes, too, an illustrious name commanded attention.<sup>57</sup>

In mid-1861, with Lincoln calling for volunteers, Seward believed that it accorded with the public interest to receive foreigners, "friends of freedom and the unity of the American Republic," into the armed forces.<sup>58</sup> So far, satisfactory positions had been assigned to all who offered, but the army was rapidly filling up. The United States had no dire need to offer special inducements beyond the compensation prescribed by the laws of Congress. The Department could not authorize Marsh to advance money to defray the expenses of volunteers from Italy, although, for the present, those

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<sup>54</sup> Seward to Sanford, no. 29, Confidential, October 11, 1861, Washington, *Instructions—Belgium*, vol. 1.

<sup>55</sup> Marsh to Seward, no. 11, August 19, 1861, and no. 12, August 27, 1861, Turin, *ID*, vol. 10.

<sup>56</sup> Marsh to Seward, no. 18, September 11, 1861, Turin, *ID*, vol. 10. The War Department answered that it was well supplied with balloons and so had no need of Mr. Godard's services. (Assistant Secretary of War to Seward, November 19, 1861, *Misc. Let., November, 1861*.)

<sup>57</sup> Chotomski to Marsh, September 14, 1861, Turin. Enclosure to Marsh to Seward, no. 20, September 16, 1861, Turin, *ID*, vol. 10.

<sup>58</sup> Seward to Marsh, no. 19, September 21, 1861, Washington, *Instructions—Italy*, vol. 10.

who came would be accepted. But when self-appointed "generals" began to clutter departmental desks with applications, the official attitude slowly became less generous. By October, 1861, Seward was writing that competition for commissioned offices would soon be so great as to leave late-comers unrewarded. Officers would be carefully screened for experience, good character, and conduct. Those who came soon might reasonably expect employment; those who should delay would probably find the armies filled, and, Seward hoped, "the great battle won."<sup>59</sup> Seward's pronouncement was immediately communicated in substance to one of the most hopeful aspirants, Col. Gustave Paul Cluseret,<sup>60</sup> the same Cluseret who later in 1870 helped engineer the defense of the Paris Commune. Now he resigned his post in the Italian service and began to prepare as fast as possible to come to the United States.<sup>61</sup> Marsh himself wrote a glowing letter in behalf of Cluseret<sup>62</sup> and transmitted to Seward a paper from a certain Pulasky introducing Cluseret as a "most efficient scientific officer, whose talents for organization are of a superior kind."<sup>63</sup> Cluseret sailed for the United States on Christmas Day, 1861<sup>64</sup> and soon received a command at Winchester in northern Virginia.<sup>65</sup> He wrote to Marsh that during his brief stay in Paris, he had communicated freely on American affairs with most of the leading journalists of that city, and that several of them would now espouse the Union cause. In doing this, though, the colonel had acted entirely on his own, not on official, direction.<sup>66</sup>

In the spring of 1862 the long-threatened retirement of the Ricasoli ministry finally took place. Some said the resignation was

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<sup>59</sup> Seward to Marsh, no. 25, October 10, 1861, Washington, *ibid.*

<sup>60</sup> Marsh to Seward, no. 23, September 24, 1861, Turin, *ID*, vol. 10. Seward's rejoinder to the Cluseret offer was substantially the same as that of October 10, 1861 (*supra*, note 59); Marsh to Seward, no. 28, October 15, 1861, Washington, *ID*, vol. 10.

<sup>61</sup> Marsh to Seward, no. 31, November 11, 1861, Turin, *ID*, vol. 10.

<sup>62</sup> Marsh to Seward, n.n., December 7, 1861, Turin, *ID*, vol. 10.

<sup>63</sup> Pulasky to Seward, November 20, 1861, Turin, *ID*, vol. 10.

<sup>64</sup> Marsh to Seward, no. 35, December 21, 1861, Turin, *ID*, vol. 10.

<sup>65</sup> *Siècle*, April 6, 1863, clipping, enclosure to Cluseret to Seward, May 1, 1863, New York, *Misc. Let., May, 1863*.

<sup>66</sup> Marsh to Seward, no. 35, December 24, 1861, Turin, *ID*, vol. 10.

due to palace intrigue, but Marsh believed that the real causes were to be found in differences of opinion in the cabinet itself on fundamental questions of policy, and in the impossibility of filling the ministry of the interior with a person who would have been satisfactory both to the parliament and to his own colleagues. The sentiments of Urbano Rattazzi's new ministry toward the United States were still unknown. Likewise a mystery was the Garibaldian meeting now in session at Genoa. But Marsh did not fear anything rash from Garibaldi because "in spite of his apparently uncontrollable impetuosity," he was a "man of consummate prudence."<sup>67</sup>

Meanwhile early 1862 was a time of active engagement on the American battle scene. The charge of the iron-clads boomed off Hampton Roads in March. April saw the bloody engagements at Shiloh. June was marked by General-in-chief Halleck's mismanaging of the Peninsular campaign by prematurely withdrawing the Army of the Potomac—the greatest single disaster of the war.<sup>68</sup> It was Halleck's kind of ineptness which so disillusioned Cluseret as to cause him to resign his commission in disgust and write bitterly to the Secretary of State regarding the General-in-chief: ". . . Disasters without number have befallen the republic . . . since he came to power. It is impossible to come to a conclusion in regard to him otherwise than in one of two words *incapable* or *culpable*—I consider him as *absolutely* responsible for the failures of McClellan, Burnside, Pope, Banks, etc., etc." As an old officer in the French army and a companion of Garibaldi, Cluseret had had enough of such amateur leadership.<sup>69</sup>

The McClellan fiasco excited a general feeling of painful regret in Italy, but no surprise in military circles. Whatever may have been the real ability of the Army of the Potomac, its action had

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<sup>67</sup> *Ibid.* Again in no. 40, April 4, 1862, Turin, *ID*, vol. 10, Marsh wrote to Seward that Garibaldi could stir up a revolution if he wanted to, such was his popularity, but his prudence would restrain him. Marsh noted, too, that just the other day he had had an interview with Garibaldi. They had talked of American affairs and the General had manifested his interest in the Union cause.

<sup>68</sup> Channing, *op. cit.*, VI, 472.

<sup>69</sup> Cluseret to Seward, May 1, 1863, New York, *Misc. Let.*, May, 1863.



been, for many months, a subject of unfavorable criticism among European soldiers, and Marsh had often been grieved at prediction now sadly verified.<sup>70</sup> Nonetheless, the spring-time victories of the Union had done much to restore confidence in Italy, and those Italian industries which had suffered most by the cutting off of American trade were beginning to revive in the hope of an early peace.<sup>71</sup>

Yet, in the summer of 1862, Italy herself witnessed insurgent action distressing enough, though short-lived. Garibaldi had put together a band of volunteers in Sicily and tried to stage a march on Rome. In the resulting clash of arms at Aspromonte, he was not only defeated, but wounded in the ankle. Immediate punitive action by the Government was slight, and consisted chiefly in sequestering some opposition journals.<sup>72</sup> Garibaldi was allowed to retire peacefully to nurse his injury.

To Bertinatti, the Foreign Ministry despatched a lengthy explanation of the affair. The Italian Government had hoped that Garibaldi would refrain from any future enterprises incompatible with the established order of things, and of a nature to compromise Italy in her relations with foreign powers. That expectation had been disappointed, and yet the episode represented more than an inconsiderate impulse. It had tested and proved the indissoluble bonds which bound the nation to the constitutional monarchy. More—it distinctly proclaimed that the nation *en masse* demanded its capital. By treating as an enemy a man who had previously rendered the most brilliant services and who had really sustained a principle dear to all Italians, the government had proved what sacrifices it would make to keep its engagements in relation to the Holy See. It was now the turn of the Catholic powers, and especially of France, to recognize the danger of maintaining between Italy and the papacy an antagonism caused only by the temporal power. Italy had done her part.<sup>73</sup>

Marsh's report of the aftermath of Garibaldi's futile attempt to get Rome included the opinion that very likely the prisoners would

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<sup>70</sup> Marsh to Seward, no. 49, August 5, 1862, Turin, *ID*, vol. 10.

<sup>71</sup> Marsh to Seward, no. 40, April 4, 1862, *ibid*.

<sup>72</sup> Marsh to Seward, no. 49, August 5, 1862, *ibid*.

<sup>73</sup> Durando to Bertinatti, September 10, 1862, Turin, *From It.*, vol. 3.

be tried by court-martial, and executed; but whatever happened, they would be finally disposed of in the way that the Emperor Napoleon would prescribe, unless the present ministry should be overthrown before the question could be decided. The king had put himself in this matter, as well as in too many others, into the hands of Rattazzi who was little better than an instrument of the Emperor of the French. But let Garibaldi be put to death, or even—as was only too probable—die of his wounds, and a thousand Orsinis would be ready to avenge him. It was said that while Garibaldi was in Sicily the government had offered to allow him and his staff to retire to America upon a pledge not to return to Italy without the permission of the king. Garibaldi had declined, and Marsh supposed that he would not then give any pledge whatever in relation to his future conduct.<sup>74</sup>

In 1862, Garibaldi was sometimes spoken of as a citizen of the United States but Marsh did not believe his naturalization had ever been perfected, and even if it had been, that he was at the moment completely reinstated as an Italian subject. This reason, as well as “the extreme jealousy” of the Italian government “to all manifestations of sympathy with a movement whose ultimate aims it professed to believe to be the destruction of the monarchy and the establishment of a republic,”<sup>75</sup> made Marsh think it was not his duty officially to interfere in his behalf. At the same time Marsh did not believe the government or people of the United States would desire their representative at the Italian court to remain a passive spectator of the sacrifice of Garibaldi and his companions.<sup>76</sup> Accordingly, he addressed to “a distinguished Italian gentleman,” who was unconnected with the extremists of any party, but was in confidential relations with leading members of the government, an unofficial note. The purport of this message was that, in case of Garibaldi’s recovery, the Italian government might be willing to send him and his companions to the United States as a convenient method of disposing of them. Marsh admitted that he had absolutely no authority to enter into any

<sup>74</sup> Marsh to Seward, no. 50, August 26, 1862, and no. 51, Confidential, September 1, 1862, Turin, *ID*, vol. 10.

<sup>75</sup> Marsh to Seward, no. 51, Confidential, September 1, 1862, *ibid*.

<sup>76</sup> *Ibid*.

stipulations on the subject, and therefore, could not make any official communication to His Majesty's ministry in relation to it. Certainly the American Government would neither directly nor indirectly, do anything which would seem to sanction or approve the illegal course which these persons had pursued, yet they would be willingly received in the United States, and probably some arrangement would be made for their reception into the military service. He made this suggestion both because he thought it might possibly relieve the government of Italy from an embarrassment, and because he hoped at the same time that it might offer to the prisoners an opportunity of usefulness to the United States without prejudice to the interests of Italy.<sup>77</sup>

While Marsh was cautiously feeling his way about an offer to Garibaldi, Theodore Canisius, the United States consul at Vienna, was taking matters into his own hands, and writing directly to Garibaldi: "General, as You have failed, for the present to accomplish the great and patriotic work, You lately undertook in the interest of your beloved Fatherland, I take the liberty to address myself to You, to ascertain, whether it would not be

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<sup>77</sup> Marsh to Baron \_\_\_\_\_, August 31, 1862, Turin, enclosure to *ibid.* Denis Mack Smith's brief but useful biography of Garibaldi stressed the government's discomfiture as to what to do with the popular leader, and as to how to explain why he had not been halted in Sicily. The cabinet first considered a legal trial, but a jury would probably dismiss the Hero. Rattazzi suggested a military trial, but feared that such action would alienate public opinion from the government. All discussion was curtailed when a mysterious "piece of paper" was introduced at a cabinet meeting. This was interpreted to mean that the King did not favor the exposure of his complicity. Garibaldi was, consequently, freed. *Garibaldi a Great Life in Brief* (New York: Alfred A. Knopf, 1956), p. 134.

H. Nelson Gay's article, "Lincoln's Offer of a Command to Garibaldi," *The Century Magazine*, LXXV (November, 1907), 63-74, brought to light much of the correspondence relating to the offers of 1861 and 1862, but made no reference to Marsh's initiative in the letter to Baron \_\_\_\_\_.

In his *Autobiography* Garibaldi said nothing about the American proposal or of his own offer. He stated merely that his sufferings were great but "great also was the kind care of my friends"; that after thirteen months his wound healed "and from that time till 1866 I led an inactive and useless life." *Autobiography of Giuseppe Garibaldi*, trans. A. Werner (London: Walter Smith and Innes, 1889), II, 253.

against Your present plans to lend us a helping hand in our present struggle to preserve the liberty and unity of our great Republic.”<sup>78</sup> The General could be assured that the welcome and enthusiasm which he would receive in America where he had once lived, would be boundless, and his position, to lead “our brave soldiers into battle, to strike for the same principle, for which You have fought so nobly during Your life” would be such as he might desire. Garibaldi answered that because he was a prisoner and dangerously wounded, he could not dispose of himself. He added, though, “that when my imprisonment shall cease and my wound heal, the favorable opportunity shall have come, in which I will be able to satisfy my desire to serve the American Republic, of which I am a citizen, and which today fights for the universal freedom.”<sup>79</sup>

The unauthorized Canisius-Garibaldi correspondence was coldly received in Washington. Seward hurriedly wrote back to Vienna, “I am directed by the President to inform you that your proceeding in writing that letter is disapproved.”<sup>80</sup> These were the reasons. First of all, such correspondence was in its nature, not a consular, but a diplomatic act, transcending Canisius’s proper functions. The consul’s deed was considered the more unpardonable when it was remembered that the United States was represented, not only at Turin, but even at Vienna by a Minister invested with the most ample diplomatic authority, constantly receiving special instructions from the state department. Secondly, although the proceeding of inviting General Garibaldi to join the armies of the United States might have seemed warranted by the fact that the American Government had previously tendered him a military command, yet Canisius’s proceedings were not at all parallel to those of the year before. The earlier invitation had been given by the President’s direct authority, and had not been communicated to General Garibaldi until the American diplomatic

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<sup>78</sup> Theodore Canisius to Garibaldi, September 1, 1862, Vienna, accompanying Canisius to Seward, September 17, 1862, Vienna, *Consular Despatches—Vienna*, vol. 3.

<sup>79</sup> Garibaldi to Canisius, September 14, 1862, Varignano, enclosure to *ibid.*

<sup>80</sup> Seward to Canisius, October 10, 1862, Washington, *Despatches to Consuls*, vol. 31.

representative, acting under direct instructions from the state department, had obtained the consent of the King of Italy, in whose service the General then was. Thirdly, Canisius had described the recent movement as a great patriotic work undertaken in the interest of his country, although the fact was known that the project had been prohibited by the government of that country, and that General Garibaldi was taken in arms against that government. The policy of the United States in regard to Italy was complete abstinence from all intervention in its domestic affairs. Canisius had obtruded himself in an issue between the government and those of the people of Italy who had risen in arms against it. Lastly, just at a time when every care was being taken to avoid injurious complications in foreign affairs, and especially in Europe, proceedings on the consul's part so entirely divergent from this wise policy could not be overlooked. The commission as consul at Vienna was withdrawn.<sup>81</sup>

It is completely speculative as to whether Canisius had anticipated the mind of Garibaldi or had really influenced him. Just about a week after the decline of the Canisius offer, and before information could be reported to Seward in time to prevent Canisius's dismissal, Garibaldi himself wrote to Marsh. He observed that he was ill, and would remain so for some months; but that he was thinking continually of the disastrous war in America, his "second country," to which he would gladly be of some use when recovered. He would go thither, with his friends; and he would make an appeal to all the democrats of Europe to join them in fighting "this holy battle." Would Marsh please confer with his government on this subject, and through Col. Trecchi let him know his own ideas?<sup>82</sup> Marsh answered that he would lose no time in forwarding Garibaldi's offer to his government, but he could not venture to anticipate the character of its answer further than to say that he was sure it would "be conceived in a spirit of the highest respect and the greatest kindness toward the General and his brave companions." Marsh knew that they would all be warmly welcomed in America. He only hoped that means might

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<sup>81</sup> *Ibid.*

<sup>82</sup> Garibaldi to Marsh, October 7, 1862, Varignano. Enclosure to Marsh to Seward, no. 52, October 8, 1862, Turin, *ID*, vol. 10.

be found to give them an opportunity to render new services and win new laurels in the cause of liberty and of progress.<sup>83</sup>

The latest Garibaldi correspondence was submitted without delay to the President who was "touched by the respect and good will towards our country which is manifested by the illustrious General Garibaldi in his proposition not only to return to it as an asylum but even to engage in its military service to suppress the insurrection which at this moment is threatening its precious liberties and even its very existence." But General Garibaldi was a subject of His Majesty, the King of Italy, and was understood by the President to be still in the military service of that sovereign. Marsh should make known discreetly to His Majesty's government the proposition which General Garibaldi had communicated, and ascertain whether or not that Government would consent to the transfer of General Garibaldi's military services to the United States. All difficulties on that point having been removed, he was to inform the General that he and his friends would be welcomed with enthusiasm by the Government and people of the United States "as brave and heroic soldiers in the cause of freedom and humanity, and that a proper command would be assigned him in the armies of the Union." Should the execution of these instructions have the result of warranting the expectation of General Garibaldi's return to the United States, Marsh was to learn from him when he would be able to depart from Italy, that measures might be taken to render him proper attention and any needful assistance on that occasion.<sup>84</sup>

Back in Vienna, Canisius learned of his discharge and vigorously protested. He would not have been dismissed, he said, if the President had been acquainted with the circumstances, under which he had been induced to write his letter. Canisius said that he believed that in Europe it was customary that wherever a consul resided no applications of foreign officers who desired to enter the American army were made to the minister, because it was regarded more as a business-matter than a diplomatic affair. After all, the first offer to Garibaldi had been made by the consul at

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<sup>83</sup> Marsh to Garibaldi, October 8, 1862, accompanying *ibid.*

<sup>84</sup> Seward to Marsh, no. 57, November 5, 1862, Washington, *Inst. It.*, vol. 1.

Antwerp. Canisius had received hundreds of applications from officers who desired to enter our army, not only from Austrians, but also from Prussians, Bavarians, Italians, and representatives of other nationalities. At the time the offending letter was written, Garibaldi was no longer in the service of the King of Italy or anybody else; he was only waiting for the amnesty in order to go to a foreign country—as the King and all other monarchs desired him to do. Canisius's letter could have offended neither the one party nor the other, and not even the slightest complications could have occurred in consequence of it. The style of his letter could also not have been offensive to the Italian government, as it was a positive fact, that that government considered Garibaldi's movements patriotic. The principal reason why he had written his letter was to show to Europe and especially to England which admired Garibaldi so much, that the General sympathized with the Union and not with the South. The physical help of Garibaldi was something the United States probably could not expect, but his moral aid had already been won, and had strengthened the federal cause throughout Europe. Canisius had been anxious to effect this at a time when almost everybody seemed to be turning against the United States. If he had had any idea, that someone in the American diplomatic corps would have brought forward the sentiments of this celebrated man, or that the President could have had the slightest objection to it for policy's sake, or that the inducement to Garibaldi to help us fight was not a business-matter belonging to a consul, but a diplomatic affair, nothing could have ever induced him to write to Garibaldi.<sup>85</sup>

Canisius must have had a good angel. After the Italian government had received word of the affair and of the consul's dismissal, the Foreign Minister wrote to Marsh that the king's government highly appreciated the spontaneity of the measures which the government of the United States had thought proper to take with respect to Canisius, and the sentiments with which they were dictated. But Italy was persuaded that the consul of the United States at Vienna, in addressing to General Garibaldi the letter in question, acted only under the inspiration of a first impulse, with-

<sup>85</sup> Canisius to Seward, November 7, 1862, Vienna, *Consular Despatches—Vienna*, vol. 3.

out reflecting upon the irregularity and impropriety of the proceeding. The Italian government, therefore, thought it right to abstain from making it a subject of formal complaint, and would be pleased if the government of the United States would overlook the error of the agent and restore him to his post.<sup>86</sup> This request was granted, and Mr. Theodore Canisius remained consul at Vienna.<sup>87</sup>

The second Garibaldi affair precipitated a new bevy of volunteers to serve in the United States army. Among them was Garibaldi's friend, Col. Cattabene, who offered to furnish a military corps of four battalions of five hundred veterans each. They were ready to embark as soon as transportation could be provided. Both Garibaldi and the Italian government had given approval. All that was asked was pay equal to that of other troops in the federal army, the conveyance of the entire personnel at a single voyage, and that the group become General Garibaldi's advance guard when he should arrive.<sup>88</sup> This offer was repeated several times and travelled the usual route from the sender to Marsh, through Marsh to Seward, through Seward to the Secretary of War.<sup>89</sup> The answer reversed the process as it made its way back. The Secretary of War had now adopted the policy of not receiving bodies of foreign troops into the regular army.<sup>90</sup> So much for the Cattabene offer. As for Garibaldi, the Secretary of War still retained his proposition on file.<sup>91</sup> This answer was conveyed to Garibaldi,

<sup>86</sup> Melegari to Marsh, November 15, 1862, Turin. Enclosure to Marsh to Seward, no. 59, November 17, 1862, Turin, *ID*, vol. 10. Acknowledged in Seward to Marsh, no. 63, December 8, 1862, Washington, *Inst. It.*, vol. 1.

<sup>87</sup> Canisius to Seward, December 31, 1862, Vienna, *Consular Despatches—Vienna*, vol. 3.

<sup>88</sup> Marsh to Seward, no. 54, October 21, 1862, and no. 55, October 25, 1862, Turin, *ID*, vol. 10.

<sup>89</sup> No. 61, December 16, 1862, *ibid.*

<sup>90</sup> C. P. Buckingham to Seward, War Department, November 15, 1862, *Misc. Let., December, 1862*. Cf. Seward to Marsh, no. 59, November 18, 1862, *Inst. It.*, vol. 1.

<sup>91</sup> It is tempting to jump to the conclusion that the refusal of Cattabene meant turning down Garibaldi. The distinction between the two offers, however, is clearly made in Seward to Marsh, Confidential, no. 64, December 26, 1862, *Inst. It.*, vol. 1:

"The Secretary of War has, I think, adopted a policy which does not



and nothing more was heard from Cattabene. Marsh was of the opinion, however, that some of those who had offered to go as a group might now offer individual services to the federal government.<sup>92</sup> After January, 1863, the diplomatic documents are silent on the direct question of the coming of Garibaldi, although there is at least one indirect reference. On February 2, 1863, Seward received from Captain De Steffani, a companion of Garibaldi, the plan of organization for the "Washington-Garibaldi Legion." This group was to be composed of four thousand Venetian and Roman volunteers, each of whom had been on campaign with Garibaldi in Italy, was under thirty years of age, and of good conduct. Garibaldi had given his cooperation and his name to the scheme and was to choose the officers. The idea had already been submitted to the American representative in Italy.<sup>93</sup> Seward sent the proposition to the Secretary of War and he, in turn, abided by the General-in-chief, Halleck, to whom the subject was referred. Said Halleck: "The adoption of the project would be in violation of the law of Nations, and of the laws of the United States."<sup>94</sup>

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contemplate the acceptance of bodies of troops organized in foreign countries, even with the consent of their sovereigns. I have repeatedly received this exposition of his views, have received it from him even in connection with the offer of Colonel Cattabene, so distinctly, that I feel authorized to give it to you now, as I think I have heretofore done, as the answer of the Government to that proposition.

"The Secretary of War still retains under consideration the offer of General Garibaldi. It involves some considerations upon which the convenience of that Department must necessarily be consulted. It is a source of high satisfaction to know that the General has been so far relieved of his painful wound as to justify a hope of his rapid convalescence."

The high opinion in which Garibaldi was held is further evident in Seward to Marsh, no. 62, December 2, 1862, *ibid.*:

"The President regrets to learn that General Garibaldi's case is deemed a critical one, Italy probably feels what all the world sees—that his fault was not failure in devotion to her but that of loving her too well. Enthusiasm is essential to the character of a hero, and posterity always reverses the judgments of prudence which consider enthusiasm as a fault."

<sup>92</sup> Marsh to Seward, no. 64, January 23, 1863, Turin, *ID*, vol. 10.

<sup>93</sup> De Steffani to Seward, January 31, 1863, Washington, *Misc. Let., January, 1863*.

<sup>94</sup> Quoted in P. H. Watson to Seward, War Department, February 14, 1863, National Archives, War Records Division, Old Army Branch, *Military Book no. 51, War Office*, p. 408.

The offer of Garibaldi personally is still a matter of speculation. That assiduous student of the Risorgimento, H. Nelson Gay, maintained that the official silence on the Garibaldian proposal was but a veil covering discreet private arrangements between Marsh and the General.<sup>95</sup> David Lowenthal, recent biographer of George Perkins Marsh, with access to the Marsh Collection in the University of Vermont Library, closed his very brief account of the affair to the effect that the relations between Victor Emmanuel and the General were patched up and that Garibaldi himself revoked the offer.<sup>96</sup> Diligent search in both the Foreign Affairs Section and in the Old Army Branch of the War Records Division of the National Archives was not rewarded by any document stating this revocation, or any further reference at all to the final result of the Garibaldi offer.

Volunteers were hounding the American legation in Italy in the first half of the Civil War; but in the latter half, the Italian legation in Washington was being kept busy with petitions of nationals who wanted to extricate themselves from the clutches of the military arm. Over a score of appeals became the subject of diplomatic negotiation. In themselves the cases are trifling, but inasmuch as they amount to a sizable portion of the correspondence between the State Department and the Italian Legation in Washington in a period when the very existence of the American Union was being contended, these tedious and hard-to-trace communications illustrate very well the friendly relations between the two governments.

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<sup>95</sup> H. Nelson Gay, *Scritti sul Risorgimento* (Roma: La Rassegna italiana, 1937), p. 249. Gay mentioned two letters from Marsh to Garibaldi, but admitted that not all the pertinent correspondence was available.

<sup>96</sup> *Op. cit.*, p. 488. From Dr. Lowenthal's citations, it would appear that he did not differentiate between the 1861 offer and that of 1862. Lowenthal added that while Garibaldi was still ill, he sent his aide, Cattabene, to Marsh to discuss "raising and arming ten thousand men to accompany the General." This statement was based on the Caroline Crane Marsh Journal, VII: 6-7, MS, Vermont U. Lib. The author continued to the effect that before the conclusion of the negotiations Garibaldi "had made peace with the King and the Ministry, and declined the American offer once and for all," but no reference was given for this last remark. For the Cattabene offer, cf. note 91 *supra*.

Most of the enlistment cases concerned men who felt that they had been tricked into the Union army. In general, their various woeful stories followed a particular pattern. An Italian sailor would get shore leave. Some friendly, sly, and experienced compatriot, who knew English, would "accidentally" meet him and the two would go off for some refreshment. The next thing the hapless sailor would know was that he was in a federal uniform and "duly enlisted." The kindly friend of the evening frolic had enrolled his countryman and, of course, pocketed the bounty money. The only recourse of the victim was an appeal to his country's legation. This procedure of exploitation-appeal was not peculiar to Italians. The volumes of diplomatic correspondence in the National Archives, 1861-1865, furnish abundant evidence of Germans and Russians and others who endured a like fate. There was only one Italian, however, with a request of this kind which actually resulted in discharge. This was Joachim Gafferelli, marine of the frigate, *Re d'Italia*, whom a glass of wine landed on Folly Island, South Carolina, among the New York State Volunteers.<sup>97</sup> Some Italian sailors who had had a similar experience, could not be located even for investigation. Either they were appealing under their true name, but were enlisted under a pseudonym, or the peculiarities of penmanship and Italian orthography prevented proper identification.<sup>98</sup> Another seaman, a certain Luigi Riceputi,

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<sup>97</sup> In official correspondence, "Gafferelli" is sometimes spelled "Zafferelli." Bertinatti to Seward, April 13, 1864, Washington, *From It.*, vol. 3; Seward to Bertinatti, April 16, 1864, Washington, *To It.*, vol. 6; Dana to Seward, December 23, 1864, Washington, *Misc. Let., Dec., 1864, Pt. II*; Seward to Bertinatti, December 30, 1864, Washington, *To It.*, vol. 6.

<sup>98</sup> Augusto Ludovik was allegedly enrolled by fraud in the Thirty-ninth Regiment, New York Volunteers, but the Adjutant General reported such a name as Ludovik had never been borne on the rolls of that regiment. Cf. Bertinatti to Seward, May 5, 1864, Washington, *From It.*, vol. 3; Seward to Bertinatti, May 7, 1864, *To It.*, vol. 6; Dana to Seward, August 4, 1864, War Department, *Misc. Let., Aug., 1864, Pt. I*; Seward to Bertinatti, August 8, 1864, Washington, *To It.*, vol. 6.

Andrew Lavevesse was supposedly enrolled in the Ninth Regiment, New Jersey, Infantry. His name was spelled in almost as many variants as is possible by substituting "T" for "L" and "r" for "v." Besides this, he had been duped into signing his papers, "Louis Gailllo." Needless to say, this

had deliberately deserted the Italian ship, *Lorenzo*, and was supposedly in the Union army. The Secretary of War was asked to have search made for a man 1.67 meters tall, with chestnut eyes and chestnut hair, regular forehead, regular nose, and long face. Understandably, the War Department reported back that in spite of diligent search no Riceputi could be found. No further action was deemed necessary until some more definite description could be given.<sup>99</sup>

Three petitions from the Italian legation had to be forthrightly refused.<sup>100</sup> In each case the soldier was judged properly registered in the army even though he claimed fraud. Two appeals for discharge on grounds of alienage were simply unanswered.<sup>101</sup> At the

person was never found. Cf. H. Cora to Seward, April 21, 1865, Washington, *From It.*, vol. 3; Dana to Seward, April 21, 1865, War Department, *Misc. Let.*, April, 1865, Pt. II; Seward to Bertinatti, May 3, 1865, Washington, *To It.*, vol. 6.

<sup>99</sup> Bertinatti to Seward, May 21, 1864, Washington, *From It.*, vol. 3; Seward to Bertinatti, May 25, 1864, Washington, *To It.*, vol. 6; Stanton to Seward, June 16, 1864, War Department, *Misc. Let.*, June, 1864; Seward to Bertinatti, June 27, 1864, Washington, *To It.*, vol. 6.

<sup>100</sup> These were from an Italian subject, Manfredo Antoniazzi; P. E. Benzi, an ex-officer of the Italian army; and Antonio Domenico Ghio, "a well-known citizen of Cincinnati."

For the Antoniazzi case, cf. Bertinatti to Seward, May 30, 1864, Washington, *From It.*, vol. 3; Dana to Seward, July 23, 1864, War Department, July 23, 1864, *Misc. Let.*, July, 1864; Seward to Bertinatti, July 30, 1864, Washington, *To It.*, vol. 6.

For the case of Benzi, cf. Bertinatti, to Seward, February 10, 1865, *From It.*, vol. 4; Dana to Seward, May 2, 1865, War Department, *Misc. Let.*, May, 1865, Pt. I; Seward to Bertinatti, May 2, 1865, Washington, *To It.*, vol. 6.

For Ghio, cf. Bertinatti to Seward, February 10, 1865, Washington, *From It.*, vol. 4; Breck to Stanton, March 11, 1865; enclosure to Dana to Seward, War Department, March 17, 1865, *Misc. Let.*, March, 1865, Pt. II; Seward to Bertinatti, March 22, 1865, Washington, *To It.*, vol. 6.

As early as July 16, 1863, Seward had made inquiry of the War Department as to the liability of the citizens and subjects of other powers to the draft in the United States, and had received the answer that "only citizens of the United States and persons of foreign birth, who have declared their intention to become citizens, shall be liable to perform military duty. . . ."

<sup>101</sup> Bertinatti to Seward, October 26, 1864; December 22, 1864; Washington, *From It.*, vol. 3.

opposite extreme was the case of ten-year-old Niccolino Orato who, it was believed, marched away with the Twenty-second Regiment Pennsylvania Cavalry as it passed through Washington, D. C. In reply to the touching plea of his mother, unusual effort was expended to track down the lad, but as far as the diplomatic documents reveal, the black-eyed chestnut-haired boy was never found.<sup>102</sup>

The problem of individuals wishing to pass between the lines was in general sympathetically viewed by the War Department.<sup>103</sup> The two leading exceptions were, first of all, the denial to Giovanni Filippo and Antonio Tedesco of permission to rejoin their families in Richmond after a two-year absence in Europe;<sup>104</sup> and secondly, the refusal of the request of the Reverend Agostino d'Asti. Father d'Asti was a missionary in Texas and wished to return to his apostolic field. Relying on Bertinatti's friendship with Seward, he

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<sup>102</sup> In the diplomatic letters, "Orato" is sometimes "Ratto," and again, "Rat." "Christiana," the mother, is also called "Christina" or "Catherine." Cf. Cantagalli to Seward, September 27, 1864, and Bertinatti to Seward, October 21, 1864; enclosing Christiana Rat to Italian Legation, October 21, 1864, Washington; *From It.*, vol. 3. And the reply—Dana to Seward, January 18, 1865, War Department; enclosing Samuel Breck to Secretary of War, January 17, 1865, *Misc. Let., January, 1865, Pt. II*; Seward to Bertinatti, January 20, 1865, Washington, *To It.*, vol. 6.

<sup>103</sup> Some cases in point are those of three Italians who wanted to return to Italy, another—Pasqual Agnesia, who wished to go North, and Francois Bernicchi, who had escaped from the South and wished to go beyond the lines to bring off his wife and child.

Cf. Pietro Doria, Marco Comastri, and Raffaello Rinaldi to Bertinatti, Washington, March 2, 1863, enclosure to Bertinatti to Seward, March 11, 1863, New York, *From It.*, vol. 3; and Seward to Bertinatti, March 13, 1863, and March 14, 1863, Washington, *To It.*, vol. 6.

For Agnesia, cf. Cora to Seward, September 24, 1863, Washington, *From It.*, vol. 3; and Seward to Bertinatti, October 8, 1863, Washington, *To It.*, vol. 6.

For Bernicchi, cf. Bernicchi to Bertinatti, February 10, 1865, Washington, enclosure to Bertinatti to Seward, February 17, 1865, Washington, *From It.*, vol. 4; Seward to Bertinatti, March 8, 1865, Washington, *To It.*, vol. 6.

<sup>104</sup> Filippo and Tedesco to Secretary of War, November 7, 1862, Washington, enclosure to Bertinatti to Seward, November 8, 1862, *From It.*, vol. 2; Seward to Bertinatti, November 11 and November 19, 1862, Washington, *To It.*, vol. 6.

requested as a favor, to be furnished with a pass to New Orleans and government transport from there to Galveston where he would disembark under flag of truce. The missionary had avowedly taken an "oath of neutrality," but still the Secretary of War informed Seward that the requested permission could not be granted "consistently with the interests of the public service."<sup>105</sup>

There are only a few records in the diplomatic volumes of petitions from individual Italian citizens in the Confederate service. There were, however, four Italian companies on the southern side, in addition to the Italian Guards of the Louisiana European Brigade.<sup>106</sup> If voluntarily on the southern side, the very logic of the situation tended to prevent a petition to the envoy accredited to the federal government. The six cases on record are all claims of forced induction. Four of these resulted in discharge as prisoner of war. The petition of another prisoner taken at Gettysburg was refused,<sup>107</sup> while an ex-captain of the after-guard of a captured gun-boat was entrusted to the consul at Philadelphia with the stipulation that he be sent back to Italy.<sup>108</sup>

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<sup>105</sup> Bertinatti to Seward, November 18, 1864, Washington, *From It.*, vol. 4; Seward to Bertinatti, November 22, 1864, Washington, *To It.*, vol. 6.

<sup>106</sup> Cf. Ella Lonn. *Foreigners in the Confederacy* (Chapel Hill: University of North Carolina Press, 1940), pp. 110, 489, 491, 496, 498, 502.

<sup>107</sup> Devete to Italian Minister, August 24, 1864, Ft. McHenry, enclosure to Bertinatti to Seward, New York, September 21, 1864, *From It.*, vol. 3; Dana to Seward, War Department, October 8, 1864, *Misc. Let., October, 1864, Pt. I*; Seward to Bertinatti, October 11, 1864, Washington, *To It.*, vol. 6.

<sup>108</sup> Bertinatti to Seward, July 26, 1864, Washington, and August 25, 1864, New York, *From It.*, vol. 4; Welles to Seward, Navy Department, August 11, 1864, *Misc. Let., August, 1864, Pt. I*; Seward to Bertinatti, August 22, 1864, and September 22, 1864, Washington, *To It.*, vol. 6.

## CHAPTER II

### ITALY AND THE AFTERMATH

In this chapter we are concerned only with those Italo-American contacts stemming directly from the Civil War. Other aspects of the official relations between Italy and the United States in the post-war years will be considered later.

The night of the assassination of President Lincoln held a double terror for the Italian legation in Washington. The attack on the chief executive, in itself sufficiently awesome, was coupled with the arrest of one of the Italian attachés as a suspected accomplice. At about midnight on that fearful Friday, April 14, 1861, Mr. Romeo Cantagalli was returning home from a visit to a friend, Dr. C. Crane, U. S. A., when he heard the appalling news. He immediately rushed back in the direction of the residence of his host, but as he was rounding the corner of "I" and Eighteenth Streets he was sighted by the Provost Guard and ordered to halt. As a member of the diplomatic corps, Cantagalli correctly (if imprudently) refused to obey. For two blocks the Guard pursued the fleet-footed figure in the light gray outfit until he was finally accosted, put under arrest, and placed in the guardhouse. Too excited to be coherent, Cantagalli had a great deal of difficulty in explaining his recent exploit. Sergeant James Kane finally escorted him home, got a member of the household to identify him, and went on his way. The incident, which in future years must have served for the general amusement of the legation staff, closed with explanatory letters sent from the State Department over the signatures of the guards concerned.<sup>1</sup>

The diplomatic volumes of 1865 are thick with testimonials to the memory of Lincoln. From royal palace to hamlet; from masonic lodges mourning the death of a brother, to charitable

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<sup>1</sup> Bertinatti to Hunter, April 22, 1865, Washington, *From It.*, vol. 4. Seward to Bertinatti, May 12, 1865, Washington, *To It.*, vol. 6. Dana to Seward, May 8, 1865, *Misc. Let., May, 1865, Pt. I.*

associations sympathizing for the untimely passing of the Emancipator—all bewailed the atrocious deed that had struck down the great leader on the morrow of victory. In after years when General Grant and Admiral Farragut each paid a visit to Italy, their enthusiastic welcome seemed to speak not only in their own praise, but in that of the cause they had sustained, and the Commander-in-chief under whom they had served.<sup>2</sup>

In Italy, the most exciting repercussion of the murder of Lincoln centered in the apprehension of John H. Surratt, allegedly one of the accomplices of the assassination. Surratt had made his way via Canada to Europe and had enlisted in the papal zouaves. There he was recognized by a fellow zouave who had known him some years before at Maryland, and who communicated his discovery to Rufus King, United States minister to the Papal States. King received the full cooperation of the papal government which arrested Surratt with the intention of turning him over to the government of the United States. Notwithstanding a six-man guard, Surratt effected his escape by jumping over a thirty-foot precipice. Somehow he received only slight injuries and found his way to Naples. Rufus King had kept Marsh informed of the proceedings and the American envoy at Florence had opened negotiations for the arrest of the fugitive. Without realizing it, Surratt saved the Italian government from embarrassment. Before Marsh could find out whether or not request of the papal government for Surratt's arrest had been made, or what instructions

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<sup>2</sup> General Grant visited Rome March 20-April 15, 1878. Although he was met at the Station by an aide-de-camp of the king, was lodged in special quarters at the Hotel Bristol, and in general feted and honored, the visit gave rise to interesting questions of protocol. Ambassadors were not invited to dinners at which Grant was guest because they would have had to be given precedence, and this would have been embarrassing. Cf. Marsh to Evarts, no. 753, April 17, 1878, Rome, *ID*, vol. 17.

Admiral Farragut was in Florence from February 7 to 17, 1868. Farragut was received with extraordinary hospitality by the king, members of Parliament and officers of the diplomatic corps. He himself was very well liked. Marsh reported that "no foreign visitor at the Italian capital has made a more favorable personal impression, upon all who have been brought into contact with him, than our great naval hero and patriot, Admiral Farragut." Marsh to Seward, no. 205, February 17, 1868, Florence, *ID*, vol. 12.



Victor Emmanuel had given, the suspect sailed from Naples to Malta and from there to Alexandria. Telegraphic communications resulted in his arrest in Alexandria through the instance of Mr. James Hale, the consul-general there. Marsh commented that he thought it a good thing for Surratt to be apprehended in Egypt where consular extra-territoriality would permit his arrest without recourse to the Turkish government. Surratt was finally returned to the United States and every effort was made to obtain his conviction, but at the end of a two-month trial (June 10-August 10, 1867) the jury stood eight to four for acquittal. Surratt was kept in prison until June 22, 1868, when he obtained release on bail. Three months later the indictment against him was nolle prossed. Possibly the greatest result of the efforts of Rufus King and of George Perkins Marsh to bring Surratt to justice was the disclosure at his trial of additional evidence to show the non-complicity of Surratt's mother and others who had already been hanged as arch-accomplices.<sup>3</sup>

During the days of the realization of the Surratt detective story, more prosaic business was going on in Washington. Claims of Italian residents in the United States for Civil War damages had been piling up in the State Department ever since the middle of the war. Mention has already been made of the appeals to the Italian legation against illegal enlistment or unjust imprisonment. In general, this sort of petition stopped with the end of the war. Claims for damages, however, continued to multiply. As early as June 26, 1863, after about a dozen or more miscellaneous claims had been presented to the State Department on behalf of Italian subjects, Seward reminded Bertinatti that such cases had not been anticipated by Congress and therefore there was no provision made for their examination or satisfaction. On the other hand, if the claims of Italian subjects against the United States should become numerous or important enough to warrant the expense of a claims convention, Seward would suggest that course

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<sup>3</sup>Ernest Sutherland Bates, "John Wilkes Booth," *Dictionary of American Biography*, II, 448-452. Marsh to Seward, no. 168, November 18, 1866, *ID*, vol. 11. Seward to Marsh, no. 160, December 10, 1866, Washington, *Inst. It.*, vol. 1. Cf. Stock, *op. cit.*, for correspondence between the State Department and the United States envoy to the Papal States.

of action. This would mean the setting up of a mixed commission with full power to examine and judge each claim.<sup>4</sup> On February 26, 1866, Bertinatti brought up again the question of a convention as he had been instructed to do by General Alfonso LaMarmora, Minister of Foreign Affairs.<sup>5</sup> Seward had no objection to the proposal and replied that he would be ready to sign the Convention as soon as Bertinatti should have been furnished with the necessary power to conclude the negotiation.<sup>6</sup>

For some unstated reason, the diplomatic correspondence contains no further reference to this Convention. Possibly, it was never consummated because the number of claims was small enough to allow their disposition through the usual diplomatic channels. Another likely reason why the Convention did not eventuate could be the establishment of the Canby Claims Commission appointed on August 9, 1866, to examine any claims referred to it by the War Department or its bureaus.<sup>7</sup> This four-man Commission, headed by Major-General E. R. S. Canby, held meetings between August 23, 1866, and July 27, 1867, after which it was virtually dissolved for lack of a quorum and at length formally discontinued on July 16, 1868. This act of dissolution simultaneously created the Hardie Board of Claims, which was in existence until the last days of April, 1869. The papers of both the Canby Claims Commission and the Hardie Board of Claims remain in disarray to this day. Some have been processed for research; others have been stacked for years in the state of discouraging confusion that followed their transfer to the National Archives; possibly, some have been irrevocably lost. These facts have significance for the Italian claims against the United States. Inasmuch as the proposed claims convention was not consummated, there is not in existence any official tabulation of the number or kind of these claims nor of their final disposition.

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<sup>4</sup> Seward to Bertinatti, June 26, 1863, Washington, *To It.*, vol. 6.

<sup>5</sup> Bertinatti to Seward, February 26, 1866, Washington, *From It.*, vol. 4.

<sup>6</sup> Seward to Bertinatti, March 1, 1866, Washington, *To It.*, vol. 6.

<sup>7</sup> Information about the Canby Claims Commission and the Hardie Board of Claims is taken from a hand-written explanation of the contents of the correspondence file of the Canby Claims Commission in the Old Army Branch, War Records Division, National Archives.

Such statistics can be obtained only by a long process of investigating the correspondence between the Italian legation and the State Department, the numerous volumes of miscellaneous correspondence, Department of State, and then the motley books of claims in the Old Army Branch, War Records Division, National Archives. The following results were obtained by this devious route:

Excluding all enlistment and imprisonment cases because the use of pseudonyms and irregular orthography render them impossible of tabulation, only twenty-nine claims for Civil War damages were presented by the Italian legation to the Department of State. These claims came from twenty-seven persons. Eighteen cases involved some kind of property loss, two demanded rental arrears for property used by the United States military, six asked compensation for lost merchandise (three of these cases concerned shipping by water), one protested against the exaction of an illegal oath of allegiance, one called for redress of a swindle, and one pleaded for the proper execution of a will involving property in the hands of the United States armed forces. Since some claimants at one time asked a certain amount and at another a different sum, only an approximation of the total amount sought by the Italian government for aggrieved nationals can be given. In round numbers, this would be about \$100,000 with the average claim about \$3,000. Only two single claims went as high as \$12,000; the lowest was \$80. Conclusive results could be obtained for only ten claims. Four were rejected outright. The \$80 claim was voluntarily waived and the illegal oath declared null and void. In one instance the lost property was restored; in another, the damage was attributed to the Confederates and so was irreparable. Once a case was judged a matter for congressional rather than diplomatic action. Finally, one petition was granted. The fortunate instance was that presented by the executor of the will of one Michael Trabuco involving property in use by the United States Government in the military district of Vicksburg, Mississippi.

Incomplete as is the record of Italian Civil War claims, even the meagre figures available have a sociological import. The small number of claims is partially due to the comparatively few Italians in the country. In 1860 out of a total population of some 31,000,000

people there were only about 10,500 Italians in the United States<sup>8</sup> and it may be assumed that a fair proportion of these were either naturalized or had taken out first papers. The largest single Italian colony was in New York, whereas the battle-scenes were in the South. The claims stemmed from some of the greater Italian settlements there—New Orleans, Florida, and Memphis. Quite frequently in the presentation of very small claims statement was made that the loss incurred had reduced the aggrieved to indigence. More than once the Italian dwelling sequestered was taken by the government to house negroes. Further, the fact that these little claims were sent to the Italian legation—a referral that demanded no outlay—rather than to a court of claims, bespoke either an extraordinary confidence in the Italian envoy or, possibly, the penurious condition of the claimant. The general poverty of the Italian immigrant so graphically described by Robert Foerster in *The Italian Emigration of our Times*<sup>9</sup> was at least shadowed in the claims for Civil War damages of Italian subjects against the government of the United States.

Italian claims become even more dwarfed when viewed alongside the claims of British subjects against the United States. Under the Treaty of Washington, May 8, 1871, all private claims other than the "*Alabama* claims" were to be settled by a mixed commission of three. The United States and Great Britain were each to choose an agent and jointly to agree on a third. The President and the British Queen very quickly settled on Count Luigi Corti, second in succession to Bertinatti as Envoy Extraordinary and Minister Plenipotentiary of Italy to the United States. The other commissioners were the Right Honorable Russell Gurney, M.P., and Mr. Robert Stafford Hale of New York. At the first meeting of the group in Washington, on September 26, 1871, Count Corti, at the formal request of his colleagues, assumed the presidency of the commission. The commission held sessions in Washington to May 10, 1873, and thereafter to September 25, 1873, in Newport, Rhode Island. The business transacted included 478 British claims totaling \$60,000,000 without interest;

<sup>8</sup> Robert F. Foerster, *The Italian Emigration of Our Times* (Cambridge: Harvard University Press, 1919), p. 323.

<sup>9</sup> Cf. pp. 376-409.

\$96,000,000 with interest, and 19 American claims amounting to less than \$1,000,000 without interest. By way of comparison with the Italian claims, those of Britain may be broken down thus: 259 for property appropriated for use of the United States government during the war; 181 for property destroyed by Confederate forces; 100 for allegedly unlawful arrest and imprisonment; 77 for unlawful capture or detention of British vessels as prizes of war; 3 for alleged warning of British vessels from ports not actually blockaded; 34, miscellaneous. As to the disposition of the British claims: one was dismissed for indecorous language in the memorial; 28 for want of jurisdiction; 260 were disallowed on the merits; 181 were allowed—awards in favor of the claimants amounting to \$1,929,819. All the American claims were disallowed.<sup>10</sup>

It took two years of tedious work to dispose of the 489 separate claims before the mixed commission. And yet the spirit of the group was such that the chief loser—the American representative—could unqualifiedly state: "I cannot forbear the expression of my great satisfaction with the working of the commission, its performance, its arduous duties, and the result of its labors." Mr. Hale paid particular tribute to Count Luigi Corti: "My personal acknowledgments are especially due to his excellency Count Corti, the presiding commissioner, for the marked and unfailing courtesy, kindness, and consideration which I, in common with every other person connected with the Commission, received from him throughout the whole period of our official intercourse." Mr. Hale underscored the Italian envoy's sterling good sense and judgment, his untiring labor and conscientiousness and concluded that the "satisfactory disposition of the numerous vexed questions" between the United States and Britain could be attributed to Corti "to an extent to which these expressions of mine do scant and feeble justice."<sup>11</sup>

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<sup>10</sup> John Bassett Moore, *History and Digest of the International Arbitrations to which the United States has been a Party* (Washington: Government Printing Office, 1898), I, 683-698. Cf. Fish to Marsh, Telegram, August 9, 1871, Washington, *Inst. It.*, vol. 1. Davis to Corti, August 25, 1871, *To It.*, vol. 7. Davis to Marsh, Telegram, September 6, 1871, *Inst. GPM*, vol. 4. Wurts to Fish, no. 373, August 26, 1871, Rome, *ID*, vol. 13.

<sup>11</sup> Moore, *op. cit.*, pp. 697-698.

In announcing the termination of the work of the Commission, Count Corti declared that he had endeavored to judge of each case according to the principles of justice and equity and if sometimes he had been mistaken, this was not to be attributed to any lack of good intentions.<sup>12</sup> In reply, Hamilton Fish expressed the gratitude of the Government of the United States and went on to say that if the proceedings of the Joint Commission "may not have been quite in accordance with the expectations of either party" the United States nevertheless acquiesced in the result and acknowledged the obligations to the Count as well as its appreciation of his character, his learning, and his industry, which had so ably contributed to the adjustment of differences between the kindred countries of Great Britain and the United States.<sup>13</sup>

The disposition of sixty million dollars worth of private British claims against the United States was only one aspect of the Treaty of Washington. Far more momentous were the provisions for the "Alabama claims" which, with indirect, national damages included, ran to astronomical figures. According to the treaty, a special tribunal was to be formed to resolve the American claims against Great Britain for Civil War damages resulting from the activities of Confederate ships built in England.<sup>14</sup> This tribunal was to meet

<sup>12</sup> Corti to Fish, September 25, 1873, Newport, *From It.*, vol. 6.

<sup>13</sup> Fish to Zannini, October 15, 1873, Washington, *To It.*, vol. 7.

<sup>14</sup> Cf. *Papers Relating to the Treaty of Washington* (Washington: Government Printing Office, 1872), 4 vols. Cf. Allan Nevins, *Hamilton Fish* (New York: Dodd, Mead & Company, 1936), pp. 470-566. Nevins states that May 8, 1871, the day of the signing of the Treaty was the proudest in Fish's life (p. 490). Hamilton Fish (1808-1893), Secretary of State in the Grant administrations (1869-1877), was a New Yorker with all the advantages of family and wealth. Having attended Columbia University and studied law he became the law partner of W. B. Lawrence, formerly secretary of legation at London and editor of Wheaton's *International Law*. Fish brought to the State Department years of experience as U. S. congressman, governor of New York, U. S. Senator, and wartime commissioner to look after the welfare of Federal prisoners. He came to office with a fine diplomatic sense and a feeling for method and order. He revamped the State Department. Besides the delicate negotiations with Great Britain, Fish had to cope with serious grievances against Spain, troubled relations with Mexico and Santo Domingo and China. During the Franco-Prussian War Fish got George Bancroft to intervene for the suspension of hostilities

in Geneva and to consist of one agent each from Great Britain, the United States, Italy, Switzerland, and Brazil. Article X of the treaty provided further that if the liability of Great Britain should be established, and the Tribunal should fail to award a gross sum, a Board of Assessors was to be appointed to determine what claims were valid and what amounts were to be paid by Great Britain. One member of this Board was to be named by the Italian envoy at Washington.<sup>15</sup> Fortunately, it was not necessary to implement this part of Article X. The Secretary of State was extremely concerned about the choice of the arbitrators from the three neutral countries. Marsh was instructed that the selection of a suitable person from Italy would depend somewhat upon his judgment. It was deemed important that the chosen delegate be well acquainted with the English language and that he have "a knowledge of statesmanship and of international affairs . . . if possible a more practical knowledge than is gained by merely filling the chair of a professorship in a University."<sup>16</sup> In subsequent correspondence Marsh suggested more than half a dozen names including Baron Bettino Ricasoli, Count Giuseppe Pasolini, Marco Minghetti, General Count Luigi Menabrea, and Emilio Visconti-Venosta.<sup>17</sup> He also told the Secretary of State that the British minister at the court of the King of Italy, Sir Augustus Paget, had privately informed him that he had received no directions from the home government as to the choice of an arbitrator.<sup>18</sup> Never once did Marsh mention the name which was finally chosen—Count Frederic Sclopis,<sup>19</sup> Minister of State and Senator of the Kingdom, about whom Corti wrote de-

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between the two countries on the Far Eastern theater of operations. Cf. Joseph V. Fuller, "Hamilton Fish," *The American Secretaries of State and Their Diplomacy*, ed. Samuel Flagg Bemis (New York: Alfred A. Knopf, 1928), VII, 125-214.

<sup>15</sup> Fish to Marsh, no. 288, confidential, May 15, Washington, and no. 299, July 18, 1871, Washington, *Inst. It.*, vol. 1.

<sup>16</sup> *Ibid.*, no. 288.

<sup>17</sup> Marsh to Fish, no. 348, June 6, 1871; no. 349, June 7, 1861; no. 353, confidential, June 12, 1871; no. 358, June 20, 1871; no. 367, August 3, 1871, confidential; no. 369, August 9, 1871, Florence, *ID*, vol. 13.

<sup>18</sup> Marsh to Fish, no. 360, June 26, 1871, confidential; no. 367, August 3, 1871, confidential; cable to State Department, August 15, 1871, Florence, *ibid.*

<sup>19</sup> Cable of Wurts to Department of State, September 19, 1871, *ibid.*

lightedly to the State Department: "No better appointment could have been made by the King of Italy, and I am sure you will like Count Sclopis. The title of Minister of State is a permanent title, and it is the highest civil dignity in the State. There are only seven or eight in the kingdom."<sup>20</sup> Marsh, too, sang the Count's praises.<sup>21</sup> Not only had Sclopis presided over the Senate for many years, but he was a jurist of renown, knew English, had studied the best American writers on law and politics, and was a noted author whose works included a five volume *Storia della Legislazione Italiana*.<sup>22</sup> Indeed, the Italian delegate was a fit associate for the other members of this august tribunal: Lord Chief Justice Sir Alexander Cockburn of Great Britain, Baron Marcus Antonio d'Araujo d'Itajuba of Brazil, Mr. Jacques Staempfli of Switzerland, and Mr. Charles Francis Adams of the United States.

At the opening conference held in Geneva on December 15, 1871, Mr. Adams proposed that Count Sclopis, as the arbitrator selected by Italy, the Power first named in the Treaty after the United States and Great Britain, should preside. Sir Alexander Cockburn seconded the proposal, and the Count was unanimously chosen. In reality, although Mr. Staempfli may have felt slighted since it would have been normal for the representative of the host country to preside, Count Sclopis was the logical choice. Besides the major contestants, he alone knew English.<sup>23</sup> Tall and imposing of stature, the seventy-three-year-old Italian senator towered over the other delegates with a demeanor both fatherly and dignified. There was something so unaffected and kindly in his manner that he quickly gained the esteem of all present.<sup>24</sup> The Count realized the novelty of the Geneva Tribunal in modern European history and in his opening address remarked that the Tribunal indicated a new tendency in the policy of the most civilized nations and

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<sup>20</sup> Corti to Davis, September 17, 1871, Newport, R. I., *From It.*, vol. 5.

<sup>21</sup> Wurts to Fish, no. 375, September 19, 1871, Florence, *ID*, vol. 13.

<sup>22</sup> Frank Warren Hackett, *Reminiscences of the Geneva Tribunal of Arbitration, 1872. The Alabama Claims* (New York: Houghton Mifflin Company, 1911), p. 215. Mr. Hackett was one of the legal advisers of the American delegation.

<sup>23</sup> *Ibid.*, pp. 214-215.

<sup>24</sup> *Ibid.*, p. 215.



marked the beginning of an era in which the spirit of moderation and the sentiment of justice would take the place of arbitrary violence and culpable indifference.<sup>25</sup> It was an auspicious start.

Corti's prediction that the Americans would "like Count Sclopis" was more than fulfilled. Socially, the President of the Tribunal was very successful, and possessed the happy art of turning a felicitous phrase. More than one member of the American delegation was convinced of his astute judgment when at a brilliant ball he remarked, "Les demoiselles Américaines, qu'elles sont belles!"<sup>26</sup>

On a more serious plane, in the Tribunal itself, the Count's attitude was uniformly courteous and fair. True, at no one time did he have occasion to assume the prime and decisive role, yet more than once the influence of his prestige or the equanimity of his manner eased a critical situation. For example, after the indirect claims, which had nearly disrupted the whole arbitration, were finally declared beyond the province of the Tribunal, Sclopis joined the other arbitrators in rejecting Cockburn's suggestion that general principles of law be discussed before the consideration of specific allegations of unneutral conduct. If the Englishman's idea had prevailed, the sessions would have been extended over an indefinite period of confused theorizing. It is recorded that the presiding officer fell asleep during the speech of an American lawyer, but when Cockburn had a particularly explosive reaction to the total sum asked for redress, and tried to march from the room in high wrath, it was Sclopis who leaped to his feet, extended his arms and with a few calm, authoritative words caused the Chief Justice to realize his error and apologize.

Nine months of protracted diplomatic sparring finally resulted in the awarding of \$15,500,000 to the United States. In the conclusions each arbitrator was permitted to make a written statement of his opinion. That of Sclopis was moderate in tone. Referring to the toleration of insurgent operations in England and British anti-American feeling, Sclopis stated that England should have carried out her duties as a neutral with diligence proportionate to

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<sup>25</sup> Caleb Cushing, *Le Traité de Washington* (Rouse's Point: de l'imprimerie de John Lovell & fils, 1873), p. 103. This book is dedicated to Count Sclopis. Mr. Cushing was senior counsel of the American delegation.

<sup>26</sup> Hackett, *op. cit.*, p. 273.

the gravity of the danger. It could not be denied, he said, "that there were moments when its watchfulness seemed to fail and when feebleness in certain branches of the public service resulted in great detriment to the United States."<sup>27</sup> And as for the famous *Alabama*: "I am of opinion that the neutrality of Great Britain was gravely compromised by the vessel named *Alabama*. Consequently Great Britain is responsible for the acts of the said vessel, as well as for those of her tender the *Tuscaloosa*."<sup>28</sup>

The British delegation had somewhat foreseen the final decision and Lord Cockburn, who alone of the British group showed himself a very dissatisfied loser, had written to Granville about a month before adjournment that "things have gone badly with us here." He had seen quite early that they would. The British could not have had a worse man than Staempfli, "a furious Republican, hating monarchical government, and ministries in which men of rank take part, ignorant as a horse, and obstinate as a mule." Next worst was the President, "all anxiety to give a decision which shall produce an effect in the world, and to make speeches about 'civilization,' 'humanity,' etc., etc., in short *un vrai phrasier*." Baron Itajuba was better, but "not sufficiently informed and very indolent; and apt by reason of the latter defect to catch hold of some salient point without getting to the bottom of things, with the further defect of clinging to an opinion once formed with extreme tenacity."<sup>29</sup>

Most of the concluding discourses at Geneva on both social and official occasions were left to Sclopis who, in fact, carried about with him a speech ready written for any such emergency.<sup>30</sup> On September 15, 1872, at the last conference Sclopis addressed the Tribunal with especial eloquence. "We have the testimony of our conscience that we have not failed to do our duty," he said, concluding: "We express the fervent prayer that God will inspire all Governments with the constant purpose of maintaining that which is the invariable desire of all civilized people, that which is, in the

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<sup>27</sup> *Papers Relating to the Treaty of Washington*, IV, 68. Cf. Nevins, *op. cit.*, p. 557, 558, 560-561.

<sup>28</sup> *Papers . . . Treaty of Washington*, IV, 68.

<sup>29</sup> Cockburn to Granville, August 25, 1872, in Hackett, *op. cit.*, p. 281.

<sup>30</sup> Tenderden to Granville, September 8, 1872, in *ibid.*, p. 340.

order of the moral, as well as the material interests of society, the highest of all good—peace.”<sup>31</sup>

The character, ability, and impartiality of the arbitrators were greatly appreciated by the President of the United States, and Marsh was instructed to convey the gratitude of his government to Victor Emmanuel II.<sup>32</sup> All three of the neutral arbitrators declined a monetary award for their services, but the United States and Great Britain agreed to express their gratitude by gifts of artistic works of finely wrought silver. Count Sclopis received a Tiffany centerpiece and various other articles of table service.<sup>33</sup> The bestowal of the American gift was signaled by one of those annoying little anti-climactic occurrences that so frequently mar an otherwise perfect arrangement. First, Count Sclopis had a scruple about accepting the gift except from the hands of his sovereign from whom he had received his commission.<sup>34</sup> This difficulty was finally overcome by deciding to let the Prefect of Turin make the presentation.<sup>35</sup> Then the Minister of Finance had a scruple about admitting the plate duty-free unless it were expressly stated that it was for Marsh's own use. Such a statement was impossible.<sup>36</sup> As it turned out, the Prefect of Turin finally advanced the duty and the American minister said that he would draw upon the State Department should it be necessary to refund the sum.<sup>37</sup> The last of the diplomatic letters on this petty matter stated that the Ministry of Foreign Affairs had offered to pay the duty on its own responsibility but this, too, met the objections of Mr. Quintino Sella, the Minister of Finance, who still insisted that Count Sclopis pay the amount due.<sup>38</sup> At any rate, the silver finally reached Turin and was for a time exhibited in the city-hall for the admiration of the citizens before being given to Count Sclopis.<sup>39</sup>

<sup>31</sup> London *Daily News*, September 15, 1872, in *ibid.*, pp. 343-344.

<sup>32</sup> Fish to Marsh, no. 358, October 10, 1872, Washington, *Inst. It.*, vol. 1.

<sup>33</sup> Hackett, *op. cit.*, pp. 374-375; cf. Fish to Marsh, no. 377, March 28, 1873, *Inst. GPM*, vol. 4.

<sup>34</sup> Marsh to Fish, no. 446, April 17, 1873, confidential, Rome, *ID*, vol. 14.

<sup>35</sup> Marsh to Fish, no. 450, April 26, 1873, Rome, *ID*, vol. 14.

<sup>36</sup> *Ibid.*

<sup>37</sup> Marsh to Fish, no. 455, May 24, 1873, Rome, *ID*, vol. 14.

<sup>38</sup> Marsh to Fish, no. 459, June 23, 1873, Rome, *ID*, vol. 14.

<sup>39</sup> Sclopis to Marsh, May 20, 1873, Turin, enclosure to *ibid.*

Five years later, after the death of Count Frederic Sclopis, the municipality of Turin decided to erect a monument in his honor for which purpose Marsh was requested to contribute. The American envoy asked permission to send about \$200 toward the project in memory of a sincere friend of the United States.<sup>40</sup>

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<sup>40</sup> Marsh to Evarts, no. 756, April 24, 1878, Rome, *ID*, vol. 17.

## CHAPTER III

### THE UNITED STATES AND ITALIAN PROBLEMS

For almost a score of years after 1864 events in Italy and in the United States exhibited a curious parallelism. Both countries had to cope with a new unification, post-war disruption, social readjustment, economic derangement, and political ineptness. If the problems of the United States were proportionately augmented by the size of the country and the duration of the rebellion, the difficulties of Italy were complicated many times over by the Roman Question. For both countries, the year 1864 was critical and determinant. In the United States this was the year of the completion of Sherman's march to the sea, the culmination of the anaconda policy to break the confederacy. It was the year of the re-election of Lincoln with the Tennessee Democrat, Andrew Johnson, as running-mate. In Italy, 1864 meant the September Convention which gave Italian policy a long-lasting French orientation. Italy guaranteed not to attack papal territory and to repel with force any outside assault on the land of the Holy Father. She assumed part of the papal debt and promised to move the capital of united Italy from Turin to Florence. The purpose of this last condition was not evident. It was sometimes viewed as a means of getting the capital one step nearer to Rome; again, as a renunciation of Rome as the capital city of the kingdom. In return for these pledges, the French troops were gradually to be withdrawn from the eternal city.<sup>1</sup> Only much later was it whispered with disgust that the probable reason for the transfer of the capital was the secret surrender of a fair part of northwestern Italy, including Turin, as forfeit for the withdrawal of the French troops.<sup>2</sup>

The year 1865, painfully marked by the assassination of Lin-

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<sup>1</sup> Cf. Saverio Cilibrizzi, *Storia parlamentare politica e diplomatica d'Italia* (Milan: Albrighi, Segati & Co., 1925), I, 416-464. The treaty terms are summarized on p. 431.

<sup>2</sup> Marsh to Seward, no. 174 confidential, April 10, 1867, Florence, *ID*, vol. 11. Marsh maintained that he had seen what he fully believed to be authentic copies of two letters, one from the Italian minister of foreign

coln, the accession of Johnson, and the ratification of the Thirteenth Amendment, saw Italy busy moving the trappings of government to Florence. In spring and early summer of 1866, the explosive Civil Rights Bill and the Fourteenth Amendment were passed in the United States, while Italy joined Prussia in the Seven Weeks' War, and on June 28 passed new laws against the Church. As the presidential plan for reconstruction went completely awry and Congress haggled over the implementation of the Fourteenth Amendment, Italy suffered defeat in battle. Custoza and Lissa may have properly engaged the Austrians while the Prussians were busy elsewhere, nonetheless, for Italy, they were demoralizing failures. The substantial gain of the new alliance with Prussia—Venetia—and the evacuation of Rome by the French troops in late 1866, were in a sense, compensation; in another light, humiliation. Austria confirmed in deed the continuing near-satellite status of Italy with respect to France, by first giving up Venetia to France, who in turn handed it over to Italy.

The Reconstruction Act of 1867 permanently jettisoned the simple arrangements of the presidential plan, and put a considerable part of the United States under martial law. The same 1867 saw more Garibaldi action aimed at Rome, and the re-landing of "protective" French troops at Civita Vecchia. As Italy struggled to suppress the movement and restore the primacy of the national government, the United States Congress passed the Tenure-of-

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affairs to the negotiators at Paris, dated September 7, 1864, the other from one of the latter to the minister dated September 14, 1864.

From these documents it appeared certain that the Italian negotiators were authorized to stipulate and did stipulate to cede to France all the territory of Italy lying west of a line drawn from Savona on the Mediterranean, northwardly to the mouth of the Sesia, and then up the valley of that river to the Alps.

This whispered rumor detailed by Marsh was partly true. The Savona-Sesia line was seriously considered by the negotiators, of 1864, but, as Lynn M. Case has shown, was not a point of insistence on the Emperor's side. Cf. *Franco-Italian Relations, 1860-1865* (Philadelphia: University of Pennsylvania Press, 1932), pp. 296-297. Marsh reported the suspected objectionable terms as though a secret agreement had indeed been made and then left unratified in Italy until public opinion had been duly prepared. By 1867, he wrote, the few Italians aware of the terms hoped they had been abandoned. At least it seemed that the Emperor regarded the matter as indefinitely postponed.

Office Act aimed at curbing the President, and when Johnson defied its provisions, began impeachment proceedings against him. The year 1869 was a year of turn-over in both countries. General Ulysses S. Grant became president; and Domenico Lanza, prime-minister; but neither official was the personification of a new principle in government. Placing the great popular hero in the White House had a victorious counterpart on a far grander-scale in Rome when the Franco-Prussian War necessitated the removal of the French troops and the Italians moved into the vacuum.

In May, 1871, within five days of each other, the United States signed the Treaty of Washington and Italy passed the Law of Guarantees. The second inauguration of Grant in 1873 fairly well coincided with the accession of the last of the consecutive liberal-conservative Cavourian governments, that of Marco Minghetti. Monetary problems mounted in each country. Both had an over-supply of paper-money. Both had the situation aggravated by the new silver bonanzas. March, 1876, was signalized by the election of the first Italian Leftist government headed by Agostino Depretis; the same month saw the disputed Hayes-Tilden election, which, all controversy aside, was a popular victory for the Democratic Party. An attempt was made in 1878 to assassinate King Humbert; a similar attack ended the life of President James Garfield in 1881. The last year of this study, 1882, saw the formation of the Triple Alliance, a deviation in Italian policy for which there was then no American parallel.

In the opinion of the American minister to Italy, the immediate cause of nearly every Italian problem<sup>3</sup> between 1864 and 1882 lay in the September Convention. This pact with France was

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<sup>3</sup> Italo-American affairs which were the subject of treaty discussions will be dealt with in the following chapter. Here, having indicated the major closely-synchronous events in the two countries, we shall point up those Italian problems which either affected the United States directly or were topics of bilateral correspondence, but did not involve a treaty or convention. The Marsh papers are full of personal opinion of nearly all the major events in Italy from 1861 to 1882. There are gossip-like stories of the royal family and sage observations on the waxing and waning in popular favor of the monarchical principle. Running commentaries on the policies of the various ministries reveal both parliamentary development and Marsh's

regarded as the worst thing that could have happened to the new state of Italy. It was a ready pretext for the interference of the Catholic powers in Italian affairs. It had alienated the Piedmontese, the element that hitherto had been the firm moral core of the peninsula. It gave excuse for unending internal disorder inasmuch as it appeared to be a virtual abandonment of Rome as the eventual capital of the nation. There were reports that in his accustomed duplicity, the Emperor Napoleon did not mean it as such—that he really intended the agreement to result in the acquisition of the Eternal City. Making Florence the national capital was supposed to engender so much dissatisfaction in Rome that there would be a spontaneous uprising, and the populace would simply take the city from the Pope. In this case, the terms of the treaty would be inoperative because the action would not stem from the Italian government. The people would, of course, hand over the city to the king. To Marsh, all this was romance. There was no indication of a popular upheaval on the Tiber. The treaty was merely a sell-out to France. Marsh never changed his mind about the baneful effects of the Convention. Even after 1870, the American representative held that the ineptness of the Italian government was primarily owing to its long dependence on France. It had not learned to stand on its own feet and possibly never would.<sup>4</sup>

political proclivities—his early liberal conservatism which gave way in the mid-seventies to disillusionment at the incapacity of the Right and to a grudging swing to the Left, and his final disappointment with the Italian government in general. All of these opinions and tendencies are informative, but not strictly relevant to the present study, which aims at an exposition of mutual relations rather than at a critique of opinion. The period from after the Civil War to 1882 is, for Italo-American diplomatic relations, a unit in itself, with a steady, friendly policy. It is to be observed that matters of a purely American nature are rarely adverted to in the post-Civil War diplomatic papers currently available. Not until the Italian documentary counterparts shall be made accessible, will it be possible to delineate both sides of the correspondence. For Marsh's opinions, cf. *Appendix*.

<sup>4</sup>For examples of Marsh's opinion, cf.: Marsh to Seward, no. 102 confidential, September 19, 1864, and no. 108 confidential, October 25, 1864, Turin; no. 174 confidential, April 10, 1867, no. 188 confidential, August 17, 1867, no. 299 confidential, August 26, 1867, Florence, *ID*, vol. 11; to Frelinghuysen, no. 1010 confidential, December 21, 1881, Rome, *ID*, vol. 19.



For the United States, the most concrete result of the Convention was the inconvenience of moving the legation offices from Piedmont to Tuscany. Foreign diplomatic residences could not logically be transferred before the royal government had officially moved, and this was a slow process. The Turinese protested the Convention violently. Shortly after the main terms were made known there were riots and disorders in the streets and the despatching of royal troops to quiet the disturbance. Stupidity and folly ended in tragedy as the troops lined up on three sides of the moderately-sized public square and began to fire on the crowd. Not only were many of the demonstrators killed, but the parallel lines of soldiers were in such short range that they shot each other.<sup>5</sup> For all this, no vote of censure was made against the ministry by Parliament; no provision was made for the survivors of innocent victims. On the evening of January 30, 1865, a court ball was held in Turin. Not a representative of the municipality appeared. Instead, ominous demonstrations were again made in the streets. The city authorities made no disclaimer or apology for the popular insult. Within three days the King packed up and went to Florence. The diplomatic corps was at a loss to determine whether or not this was the awaited official transfer of residence or just an act of chagrin.<sup>6</sup>

In this tense and unpleasant atmosphere Marsh and his colleagues shuttled between Turin and Florence, trying to carry on regular business and simultaneously shop for new quarters. Appropriate lodgings were well-nigh unobtainable in a city suddenly transformed from provincial dominance to national capital. Rents were exorbitant and moving fees fantastic. Not until spring did the ministry of foreign affairs announce that its offices would remove to Florence on May 15, 1865. This date was interpreted as the time of official transferral, but the day came and went and part of the offices were still in Turin, while part had already transferred south. As an added complication, the King returned

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<sup>5</sup> Marsh to Seward, no. 105 confidential, September 27, 1864; no. 108 confidential, October 25, 1864, Turin, *ID*, vol. 11.

<sup>6</sup> Marsh to Seward, no. 114, February 13, 1865, Turin, *ibid*.

to cooler Piedmont for the summer.<sup>7</sup> Perhaps for the same climatic reasons, perhaps for sheer impossibility, Marsh did not secure suitable quarters until September, when he and his household took up residence at No. 6, Via Cavour, Florence. Even at that date the removal of public offices was still going on and the trans-action of government business was more or less at a stand-still.<sup>8</sup>

The moving process was an expensive item for the diplomatic corps. The home governments, in general, had reimbursed their ministers, Marsh reported, and he, in his turn, sent a statement of expenses to the State Department. Marsh asked for \$1,000 compensation for "expenses of attending the King and Court on visits to Florence, Milan, Venice and Turin, by royal invitation, on six different occasions" and \$3,000 for "losses on furniture, travelling expenses on various journeys between Turin and Florence, and other extraordinary expenses attending removal from Turin to Florence." The Department seriously considered the matter, comparing the Italian situation to that of Spain in which case it had been usual to allow the charges in the accounts of the American Minister for extraordinary expenses incurred in following the peripatetic court. The conclusion, however, was negative and Marsh was advised to make his claim clear to Congress who alone was empowered to act in such matters. Not until July 3, 1872, after Marsh had again changed his official residence, was the American minister apprised that at a recent session Congress had appropriated six thousand dollars "to defray the extraordinary expenses of the American Minister to the Kingdom of Italy occasioned by the removal of its capital from Turin to Florence and from Florence to Rome."<sup>9</sup>

The United States remained only an interested spectator of Italy's part in the Austro-Prussian War, although Seward did give Marsh the assurance that in every case Italy would "enjoy

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<sup>7</sup> Marsh to Seward, no. 102 confidential, September 19, 1864; no. 117, April 28, 1865; to William Hunter, no. 120, May 24, 1865; no. 122, June 10, 1865, Turin, *ibid.*

<sup>8</sup> Marsh to Seward, no. 126, November 4, 1865, Florence, *ibid.*

<sup>9</sup> Marsh to Department of State, January 1, 1870, Florence, *ID*, vol. 13. Fish to Marsh, no. 243, July 22, 1870; Charles Hale to Marsh, no. 346, July 3, 1872, Washington, *Inst. It.*, vol. 1.

the protection of the United States."<sup>10</sup> Marsh despatched to Washington a minute report of the war, always underscoring the poor showing of Italian leadership in the engagements, although he praised the bravery of the regulars and especially of the Volunteer corps.<sup>11</sup> At the end of the war he was convinced that only the leader of the Volunteers (Garibaldi) had come out of the struggle creditably.<sup>12</sup> Marsh regarded the acquisition of Venetia from the hands of France as nothing short of an insult to Italy, but he had to admit that the addition of so large and so important a territory placed Italy in the category of the Great Powers.<sup>13</sup> Italy's task, he reported, was now one of reorganization similar to the current situation in the United States. Both countries were experiencing the need for "larger liberties for the citizen and a broader basis for constitutional government," as well as "the Executive-policy of expansion rather than contraction of centralization of power" for the reestablishment of national unity.<sup>14</sup>

It was in the name of that very unity that Garibaldi and his cohorts were muttering their discontent with the equivocal conclusion of the war. Mysterious plans were laid; arms were clandestinely stored for quick access; and immediate preparations made for an invasion of the papal territory. Directions were given to the commanders of the various columns of insurgents to avoid at any cost a clash with the Italian army, and to carry on the enterprise, even if Garibaldi should be arrested. From the end of August to mid-September, 1867, the government pretended not to see the preparations for the expedition. But on September 21, following a threatening protest from France, the *Gazzetta Ufficiale* published a notice in which it was stated that the Ministry would have the violators of the "firm pact" of the September Convention severely punished. Garibaldi, believing that the Italian government had disavowed the enterprise only to save appearances with

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<sup>10</sup> Seward to Marsh, no. 152, July 23, 1866, Washington, *Inst. It.*, vol. 1.

<sup>11</sup> Cf. series of Marsh despatches, May-August, 1866, Florence, *ID*, vol. 11.

<sup>12</sup> Marsh to Seward, no. 150 confidential, July 31, 1866; Clay to Seward, no. 160, September 10, 1866, Florence, *ibid*.

<sup>13</sup> Clay to Seward, no. 153, August 13, 1866; no. 154, August 18, 1866, Florence, *ibid*.

<sup>14</sup> Clay to Seward, no. 157, August 27, 1866, Florence, *ibid*.

France—since certain prominent officials were implicated in his plans—set out toward the confines of the papal territory. But on the twenty-third of the month he was arrested at Sinalunga, by order of the prefect of Perugia, and taken to the citadel Alexandria.<sup>15</sup> It was, in a sense, worse than after Aspromonte. Now there had been no brave defeat and there was no American Civil War for which to volunteer. There was only the American legation—and to this *refugium peccatorum* a new Garibaldian appeal soon sped (September 27, 1867). He had been enjoying the hospitality of a friend, said the General's message, when he was arrested by an armed band, taken to the citadel, and forcibly confined in an unwholesome apartment, in which his health had already deteriorated. As an American citizen, he invoked the protection of the United States.<sup>16</sup>

At the time of the appeal, Marsh was temporarily absent from the legation and American affairs were left in the hands of the secretary, young Green Clay. To him, Garibaldi's agent explained that the General was a native of Nice, had been naturalized in the United States, that it was doubtful whether or not he had ever become a subject of the King of Italy, that he had not been engaged in any act hostile to the Italian government, that he really was in a position to avail himself of his American naturalization. Clay explained at length why the legation could not intercede officially in Garibaldi's behalf. Even granted that Garibaldi had been naturalized in the United States, he had returned to Italy, taken a prominent part in political affairs, and had had no real intention of returning to the United States. In fact, as an American citizen he should have felt an even more serious obligation to do nothing hostile to the public order. Still, Clay promised to call on the President of the Council and see if he could effect at least an amelioration of the prisoner's environment, so that his health might not be further impaired.

Clay did call on Rattazzi, only to be informed that that very morning (September 27) Garibaldi had been liberated and was to go to Caprera.<sup>17</sup> There had been little else that could have

<sup>15</sup> Cilibrizzi, *op. cit.*, I, 513-514.

<sup>16</sup> Reported in Clay to Seward, n.n., September 29, 1867, Florence, *ibid.*

<sup>17</sup> *Ibid.*

been done. The arrest of Garibaldi had caused grave disorder in all Italy, and a popular demonstration in Florence in which Rattazzi himself had narrowly escaped from harm, while at Alexandria the very garrison had screamed beneath the fortress, "To Rome! To Rome!" Finally, the parliamentary Left had hurled a violent protest against the ministry and Francesco Crispi had personally intervened in behalf of Garibaldi.<sup>18</sup> On the intimation that the soldier had invoked the intercession of the legation, Rattazzi seemed very willing to recognize Garibaldi as an American citizen, and begged Clay to communicate his reclamation officially. This Clay refused to do, but merely expressed the belief and hope that this decision of the ministry would prove to be to the best interest of Italy. Clay also refrained from making a written reply to Garibaldi's demand, but requested "the person, who was interested with the communication of it" to express to him the views of the American legation and its willingness to receive any further communication he might wish to make to substantiate his claim.<sup>19</sup> All Clay's reserve went for naught as far as public opinion was concerned. It was given out that the American had officially protested the arrest of Garibaldi, but Clay had an article put in the *Opinione* setting the facts straight.<sup>20</sup>

Home at Caprera, Garibaldi was safe and sound with his island guarded by six vessels of war and all other boats carefully removed. All, that is, except one neglected *beccaccino* (a little paddle-impelled canoe for one, ordinarily used by hunters). On the night of October 17, 1867, in the dim twilight between sunset and the rising of the moon, Garibaldi, dressed as a fisherman and with his beard dyed, crossed the channel to a neighboring isle, and from there took a fishing boat to the coast of Sardinia. After seventeen hours' journey over the mountains the sixty-year-old veteran arrived at a southern port of that island, where a vessel had been sent for him by his friends. He reembarked and set out for the continent landing at Vado on the coast of Maremma (Tuscany).<sup>21</sup>

<sup>18</sup> Cilibrizzi, *op. cit.*, I, 514.

<sup>19</sup> Clay to Seward, n.n., September 29, 1867, Florence, *ID*, vol. 11.

<sup>20</sup> Clay to Seward, no. 192, October 7, 1867, Florence, *ibid.*

<sup>21</sup> This is the way Garibaldi described his flight to Green Clay, cf. Clay to Marsh, confidential, November 7, 1867, Florence, *ID*, vol. 12. Cf. Cilibrizzi, *op. cit.*, I, 518.

Then suddenly on October 21 he was in Florence and officialdom was in a panic.<sup>22</sup> Garibaldi said later that some persons approached him as "friends of Rattazzi" and wished to bring about a conference, but the leader refused to have anything to do with Rattazzi. "Rather than debase his cause by such contact," he later told Clay, "he would prefer not to fight at all." As for the king, he was "worse than his ministers—a jesuit and dependant of France!" There had been no friendly relations between them since 1862. Garibaldi said he had only upheld the royal authority because it represented the unity of Italy.<sup>23</sup> Rattazzi had resigned on October 19, ostensibly because he objected to the king's obsequiousness to Napoleon III,<sup>24</sup> but, in the eyes of the American envoy, because his ministry dared not again take on itself the odium of rearresting Garibaldi.<sup>25</sup> In the confused interregnum before General Menabrea was selected to form a government Garibaldi left Florence by special train procured for him by Francesco Crispi, leader of the parliamentary Left, and went to Terni. From here he crossed into the Papal States and at the head of the united insurgent bands variously estimated in number—one guess being five thousand—marched on Rome.<sup>26</sup>

The French fleet, meantime, had left Toulon and before long Italian forces, Papal soldiers, volunteers, and finally, French troops, were all maneuvering in the vicinity of the Eternal City. What Trevelyan called Garibaldi's "ill-selected mob of followers" soon gave up before the regulars and "Mentana" was an inglorious reproduction of "Aspromonte" five years before.<sup>27</sup>

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<sup>22</sup> Clay to Seward, no. 194, October 28, 1867, Florence, *ID*, vol. 12.

<sup>23</sup> Garibaldi's account to Clay in Clay to Marsh, confidential, November 7, 1867, Florence, *ibid.*

<sup>24</sup> Cilibrizzi, *op. cit.*, I, 517.

<sup>25</sup> Clay to Seward, no. 194, October 28, 1867, Florence, *ID*, vol. 12.

<sup>26</sup> *Ibid.*

<sup>27</sup> *Garibaldi and the Making of Italy*, p. 292. Cf. Garibaldi's account to Clay in Clay to Marsh, confidential, Florence, November 7, 1867, *ID*, vol. 12. Garibaldi, of course, praised his men to the American representative. The General said he had been betrayed by Rattazzi who was supposed to have agreed with Garibaldi that the firing of the guns should be the signal for an uprising in Rome, when the Italian army was to cross the frontier

Having failed again to make a successful march on Rome, Garibaldi was put for safe keeping in the Fortress of Varignano in the Gulf of Spezia. Here he was well-treated and occupied a comfortable, spacious, and airy room with free communication with his secretary and son-in-law who had adjoining rooms. Green Clay came to visit him here, technically in order to ascertain the legal grounds of the General's claim to American citizenship. The pretext might very well have been a camouflage. Both Marsh and Clay knew perfectly well that Garibaldi's citizenship application in the United States had never been consummated; that he had returned to Italy, engaged in battle in the name of the king; and had been elected to various offices as an Italian citizen. Garibaldi appeared ignorant of all these facts, however, as with the greatest cordiality he explained that "at New York in 1854 he renounced allegiance to the King of Sardinia and took the oath of citizenship in the United States." Clay felt that this meant that the General had made "declaration of intention to become an American citizen." Garibaldi said he had remained in the United States for more than a year, and was afterwards in command of two American vessels.<sup>28</sup> He was not sure just how long he had acted in this capacity since the papers in evidence of the fact were at Caprera. But he concluded: "I wish to avail myself of my rights of an American citizen only in the last resort. I suppose my imprisonment here will be of short duration and that I am prepared to undergo."<sup>29</sup> Clay did not report just how he

and march to the rescue. The concerted signal was given, but the Italian troops did not move. "The Romans remained disheartened, discouraged, betrayed. The movement was crushed."

<sup>28</sup> Garibaldi's memory was somewhat cloudy. He had been in the United States for only nine months, 1850-1851, and for four months, 1853-1854. On April 2, 1851, Mayor A. C. Kingsland issued him a passport under the seal of the city of New York which read: "The bearer hereof, Joseph Garibaldi, who has declared his intention to become a citizen of the United States of America, etc etc." The passport was in the usual printed form but the italicized words were written in. Cf. H. Nelson Gay, "Garibaldi's American Contacts and his Claims to American Citizenship," *The American Historical Review*, XXXVIII (October, 1932), p. 7. Cf. Howard R. Marraro, "Garibaldi in New York," reprint from *New York History* (April, 1946), p. 24.

<sup>29</sup> Clay to Marsh, November 7, 1867, Florence, *ID*, vol. 12.

made it clear to the general that his claim was specious. The question never again became the subject of lengthy diplomatic discussion, although this fact could possibly be attributed to lack of another similar occasion.

In November, 1867, it certainly appeared that a new incursion was in the offing. Garibaldi told Clay that the Italian government had offered to allow him to go to Caprera if he would give up all political designs, his "idée politique," in Italy. He had refused this stipulation, but had replied that he was willing to go to Caprera on the sole condition of a pledge to remain on the island until the first of March.<sup>30</sup>

Shortly after Clay's visit to Varignano, the General was unconditionally released and sent to Caprera (November 26). While the dismissal was pending Marsh was urged by friends of the general, native and American, to request the commander of an American ship of war to take him on board and transport him to Caprera, but for obvious reasons the American representative declined to do so. At Caprera Garibaldi was not under personal surveillance and he had free communication with whomsoever he pleased, but Marsh felt sure that his movements were watched by the Italian government, and probably also by agents of the Emperor of France, who seemed never to lose sight of this "formidable personage," as Marsh put it. This leniency could be ascribed in part to the fear of popular resentment in case of severity toward him, but also Marsh thought, to the fact that he was able to make and "sustain by irrefragable proof, most discreditable revelations in regard to eminent personages" who had at various times encouraged his enterprises. Although Garibaldi had been "betrayed" by people who had "placed their reputations in his power," he had been "restrained, by a nice sense of honor, from disclosing communications technically confidential," and he had "with rare generosity, kept silence with regard to acts and facts which could claim no such protection, and which only the greatest magnanimity would have induced him to suppress."<sup>31</sup>

At the time of his dismissal, Garibaldi had promised to remain

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<sup>30</sup> *Ibid.*

<sup>31</sup> Marsh to Seward, no. 192, December 20, 1867, Florence, *ID*, vol. 12.



quiet only until March, but the American representative did not see how he could find men and money for a new movement. The invasion of the Papal territory had been "contrary to the judgment and the earnest protestations of the best friends of Italian liberty and of Garibaldi himself." It hardly seemed probable that he would attempt a new demonstration, "unless under greatly changed circumstances."<sup>32</sup>

There were friends of Garibaldi in America who might have been hoping that the General would stage a come-back. In February, 1868, there was a meeting of Italians in San Francisco for the purpose of promoting subscriptions in aid of the followers of General Garibaldi who were wounded in the course of the recent military movements in the pontifical territory. According to Mr. Barbolani, Secretary-General of the Ministry of Foreign Affairs, resolutions were also passed reflecting unjustly on the government and people of Italy, and upon the Italian consulate at San Francisco. The Secretary added that the money raised was to be remitted through Marsh, and he requested the American minister to express, in his reply to any letter which might accompany the remittance, his disapproval of the resolutions, and to forward the reply through the Italian consulate at San Francisco. Mr. Marcello Cerruti, Italian minister at Washington, conveyed similar statements and made a like request. A letter from the committee did come, but there was no remittance. The sole enclosure was a sealed communication addressed to Garibaldi which Marsh transmitted to him. Marsh also forwarded the General's answer, but did not report to the Department whether or not he had followed the request of the Italian officials, as to the mode of transmittal.<sup>33</sup>

March, 1868, passed without a Garibaldi demonstration, but the American legation in Florence did receive word from him. "I hear," wrote the General, "from my friends that Mr. Seward has done me the honor of introducing my name among those of the agents of the government of the great Republic. As I have never been entitled to this honor, I beg you to intercede with him for its revocation."<sup>34</sup> Seward answered Marsh's reference to the letter

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<sup>32</sup> *Ibid.*

<sup>33</sup> Marsh to Seward, no. 206, February 18, 1868, Florence, *ID*, vol. 12.

<sup>34</sup> Garibaldi to Marsh, March, 1868, Caprera, enclosure to Marsh to Seward, no. 207, March 22, 1868, Florence, *ibid.*

received, that the General's remonstrance was entirely correct. The statement to which he had referred had been based "upon an incomplete and erroneous abstract of correspondence which was held in the year 1861, between this Government and General Garibaldi." Care would be taken to give the same publicity to this correction which the erroneous statement had obtained. Marsh should express to Garibaldi Seward's regrets for the error inadvertently committed, and reassure him of his profound respect and esteem.<sup>35</sup> Presumably, the correspondence to which Seward alluded had to do with the Quiggle offer previously discussed. No other letters are available from Garibaldi to the State Department in 1861, as far as this writer was able to discover.

Two months later, Marsh had an interview with Menabrea who told him that "a personage in a high place" had informed him that Admiral Farragut had visited General Garibaldi at Caprera and had remained twenty-four hours with him; that it had been arranged between them that General Garibaldi should repair to the Island of Ischia, near Naples, where, as well as at other points in the Southern provinces, volunteers would assemble, while the American fleet would rendezvous in the neighboring waters; that Garibaldi would proclaim the downfall of the Italian government and hoist the republican flag, and that this movement would be supported by Admiral Farragut and the naval forces under his command, by instructions from the government of the United States. General Menabrea added that the United States was one of the countries on whose loyalty and enlightened friendship he placed most reliance, and that he found it impossible to believe that there was the slightest foundation for the statements. Marsh replied that he thought there was not a syllable of truth in the rumor.<sup>36</sup> Seward backed up the minister: "I have not the least doubt that the disavowals and explanations which you gave concerning Admiral Farragut are altogether earnest and just."<sup>37</sup>

The diplomatic correspondence of George Perkins Marsh contained only a passing reference to Garibaldi's last military exploit

<sup>35</sup> Seward to Marsh, no. 191, April 10, 1868, Washington, *Inst. It.*, vol. 1.

<sup>36</sup> Marsh to Seward, no. 214 confidential, June 24, 1868, *ID*, vol. 12.

<sup>37</sup> Seward to Marsh, no. 199 confidential, July 15, 1868, Washington, *Inst. It.*, vol. 1.

—to defend the French Republic against the Prussians—as “his Quixotic expedition into France during the Franco-Prussian War of 1870-1871.”<sup>38</sup>

In 1874 Garibaldi was again elected to Parliament. He did not attend the opening session, but his visit to Rome in 1875 to take his place in the Chamber of Deputies was regarded as an event deserving special notice. Recently he had spoken very critically of the cabinet and it was feared that on taking his seat he would qualify his oath of office or do something else irregular which would “embarrass the proceedings of the Chamber,” and perhaps cause disturbance among the thousands who flocked to witness his entrance into the hall of the national parliament. Marsh felt sure that Garibaldi had never “in the least countenanced this expectation.” He had “never through life encouraged any appeal to popular passion, or any resistance to governments except by legal measures or in the way of organized and orderly attempts at revolution.” From the moment of his arrival in Rome he had exerted himself to the utmost to restrain every manifestation of excitement and to preserve public tranquillity. On the other hand, he had given no explicit premonition of his course of action, and so there was much anxiety as to what he would do. To everyone’s great relief, he responded to the pronouncement of the oath with a “frank and full-toned *giuro*” which won loud applause from “all persons of whatever rank or party present at the scene.”

Within a short time, the popular leader had “satisfactory interviews with the King,” and with several members of the ministry and other prominent persons. He expressed his intention to devote his powers to plans of material improvement, especially of the capital, instead of occupying himself with politics. Marsh supposed that he would rarely, if ever, return to vote in the Chamber of Deputies. His plans had not yet matured but they were supposed to include the securing of the city from inundation by canalizing or diverting the course of the Tiber, and the construction of an

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<sup>38</sup> Marsh to Frelinghuysen, no. 1029, June 4, 1882, Rome, *ID*, vol. 19. Cf. *Autobiography*, II, 316-360; Federico Chabod, *Storia della politica estera italiana* (Bari: Gius. Laterza & Figli, 1951), I, 47; a good brief account of the expedition may also be found in Denis Mack Smith, *op. cit.*, pp. 178-181.

artificial port near Fiumelino. He was hoping for the "concurrence of the great capitalist and munificent patron of public improvement, Prince Alexander Torlonia." Marsh was not sure how far the Government was prepared to support the scientific schemes of Garibaldi, but he knew that they would be sustained as far as it was financially feasible. The American envoy did not suppose that the general relations of the parliamentary opposition and the Ministry would be much affected by Garibaldi's new role, but practical measures in which he and the government would be in agreement would hardly fail to receive the support of all parties. Marsh rhetorically concluded his report: "The influence of Garibaldi in Italy, and I may say in Europe, detached as he is from mere party ties, is moral rather than political, and it will, I believe be of immense value in the maintenance of social order and the discouragement of illegal combination and factious cabal."<sup>39</sup>

After his "frank and full-toned *giuro*" Garibaldi did not again become a major subject of American diplomatic correspondence with Italy until 1880, although in 1878 he was mentioned incidentally as a zealous proponent of a growing *Irredentism*.<sup>39a</sup> In 1880 a proposal was made to erect a monument at Milan to the memory of those slain at Mentana. The memorial was to occupy a site originally intended for an equestrian statue of Napoleon III, but popular enthusiasm for the one-time Emperor had long since cooled. Meetings were held on November 2 and 3, the first of which was attended by Garibaldi and also by some French communists. The second had been a demonstration in favor of universal suffrage. A further demonstration for the same cause was to be held on November 14, 1880, and Garibaldi was again expected. Marsh feared that unless the government should take energetic measures to suppress or control the assembly it could very well turn out to be "almost of an incendiary character." On the other hand, Marsh added, "so far as the resolutions and the speeches of these meetings are to be considered as protests against French imperialism, I believe they will prove not only not in-

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<sup>39</sup> Marsh to Fish, no. 525, November 25, 1874; no. 527, February 18, 1875, Rome, *ID*, vol. 15.

<sup>39a</sup> Marsh to Evarts, no. 777, July 23, 1878, Rome, *ID*, vol. 17.

jurious but useful in discountenancing the intrigues of the Bonapartists in Italy." The ministry was not likely to be strong enough to act with any particular efficiency.<sup>40</sup> Fortunately nothing too dynamic happened to disturb the public peace. Garibaldi was now an arthritic wraith, a harmless, hoary caricature of the legendary hero, with naive, half-formed notions of socialism.<sup>41</sup> No diplomatic report of red, revolutionary action on his part need any more be sent to Washington.

Finally, in 1882, Marsh sent home the sad notice that on the evening of June 2, General Giuseppe Garibaldi had died at his residence on the island of Caprera. The General had for many years been a great sufferer from chronic rheumatism and other complaints, but Marsh was not aware that there had been any sensible decay in his mental powers until the near approach of the final catastrophe. This had probably been hastened by the fatigue and excitement of his visit to Palermo on the anniversary of the Sicilian Vespers. It had been feared that his presence there would tend to inflame still more the national irritation against both France and the Church, but from the old hero borne stiff and in pain through the silent crowds of Palermo came no more diatribes against the Tuileries and the Vatican. Marsh observed that the obituary details in the Italian journals contained many interesting facts regarding the career of this remarkable man, but there was a certain reticence about some events still so mysterious that journalists hardly dared mention them. These events concerned France and "the inconsistent and double policy pursued by her and by some other Powers towards the new-born Nationality of Italy during the reign of Napoleon III." Garibaldi had been associated intimately with all these happenings. In fact, he had been more than "one of the most extraordinary men that have appeared in any age or in any country," he had himself been a *Power* in Europe. Now all Italy had assumed the badge of mourning. Parliament had voted a pension to each of his children and decreed a national monument in his memory. Every large town

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<sup>40</sup> Marsh to Evarts, no. 924 confidential, November 9, 1880, Rome, *ID*, vol. 18.

<sup>41</sup> Garibaldi's idealistic latter-day political concepts are discussed in Mack Smith, *op. cit.*, pp. 182-194.

was preparing to erect memorial statues or take other steps to honor him and every village and hamlet was manifesting its respect and affection as well as it could. Marsh heartily concurred in this praise, but sagely concluded :

Garibaldi's political life was so closely associated with the history of the reign of Napoleon III that it can hardly be judged of by this generation or by the succeeding one. It may be hoped, however, that historical investigation will one day disentangle the truth from the intricate mass of falsehoods which the admirers of Napoleonic Imperialism would have us believe to be the real history of that era. The private life, the personal adventures, and the military career of Giuseppe Garibaldi will, in the meantime, form an important constituent in the legendary history of our country, and the rare personal qualities which characterize him as a true soldier but which the military pedantry of the schools have denied him, will be universally acknowledged by posterity.<sup>42</sup>

Of all the ideas of Garibaldi that were received at the American legation with reverent adulation, none had a more responsive echo than those on the Catholic Church.<sup>43</sup> No one topic occupied quite so much space in the official despatches as ecclesiastical affairs. No other subject was accorded such lengthy and vehement editorial opinion. Not only had Garibaldi been right, Marsh's pen staccatoed, but he had been "in advance of the large majority of his countrymen in declaring not against the temporal power of the pope, but against the papacy itself as a religious institution," the most degenerating factor in Italian society. The educated classes were as indifferent to theological questions as they had been in the sixteenth century—that is why they had remained

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<sup>42</sup> Marsh to Frelinghuysen, no. 1029, June 4, 1882, Rome, *ID*, vol. 19.

<sup>43</sup> Garibaldi's *Autobiography* is penetrated with anti-clericalism, but in his own way he attempted to discriminate when a priest was friendly to him. Cf. vol. II, 41-42: "I repeat here what I have often said already—that I hate the false and perverse priestly character; but when the individual is shorn of his factitious qualities, and returns to simple human nature, I look upon him as a man among other men."

impervious to the Reformation. The "deep religious feeling, which had left a glorious tradition of medieval Catholicism in the achievements of art," had now "under the sway of the modern Papacy, been deadened in the enlightened classes, and in the more ignorant kept alive only in an abject form of superstition." To Marsh, there was only one way to achieve a "bracing reform in the moral sentiment" of the Italian people: destroy the papacy.<sup>44</sup>

Until 1870 most of the bitter comments that flowed from the American legation had as their frame of reference the application to newly annexed territories of Sardinian laws relating to ecclesiastical affairs. In summary, these were the main acts in question: the 1850 laws suppressing the ecclesiastical court and immunities, and increasing the complications involved in the acquisition of property by the Church; the 1851 law abolishing tithes; the 1855 "law of the convents," suppressing part of the collegiate chapters and all the religious orders except those devoted to nursing and to teaching; the new code of 1866 introducing civil marriage, as well as the measure of the same year which confiscated a great part of ecclesiastical property.<sup>45</sup> In the fall of 1867 Marsh reported the parliamentary act of August 15, providing for the disposal of this property. He noted that the sale of the land was combined with the issue of new treasury bonds which could be advantageously used to purchase the church property. Ecclesiastical lands were to be divided into small lots and sold at auction—one-tenth per cent of the purchase money to be paid down, and the other nine-tenths in equal installments within eighteen years, at six per cent interest. A seven per cent discount was allowed on anticipated payments. The American minister observed that this program was remarkable in the history of Italian finance, "as an attempt to rely almost exclusively upon the internal resources of the kingdom for the success of a vast financial measure." He felt, moreover, that the scheme really

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<sup>44</sup> Clay to Seward, no. 193, October 13, 1867, Florence, *ID*, vol. 11.

<sup>45</sup> R. Aubert, *Le pontificat de Pie IX*, Vol. XXI of *Histoire de l'Eglise depuis les origines jusqu'au nos jours*, ed., Augustin Fliche et Victor Martin (Paris: Bloud & Gay, 1952), pp. 77-78, 98, 102, 104. Cf. Arturo Carlo Jemolo, *Chiesa e Stato in Italia negli ultimi cento anni* (Giulio Einaudi Editore, 1952), p. 352.

was plausible, even though it would have "to encounter much intrigue from the clerical party and the opposing influence of some large monied interests."<sup>46</sup> As usual, Marsh's thoughts sped far beyond the immediate problem. "If," he wrote, "the government were less infected by the characteristic vice of the Italians as individuals—the want of moral courage—and would possibly accept and reciprocate the declaration of war which the Romish church has so often proclaimed against it," there was not the least doubt that "it would be sustained by the people as universally and as unhesitatingly as it was in the suppression of the monasteries." The trouble was that "the timidity of the ministry" made it difficult to accomplish "many things which to a bolder policy would be easy." What Marsh would recommend would be the abrogation of the first article of the Constitution, by which Catholicism was the religion of the state, and the "actual divorce of the civil and ecclesiastical powers." This would "go far to deprive the clergy of an influence always hostile to the moral as to the economical interests of the kingdom." Furthermore, a "vigorous administration" would then "find, on Italian soil and in the possessions of the Italian people, abundant means to meet the financial demands of the public service."<sup>47</sup>

Marsh was happy to record that during the Rattazzi administration over fourteen thousand purchasers had acquired titles to ecclesiastical real estate. But with the coming of the Menabrea administration in October, 1867, this good course had been checked. The lands of the episcopate of Arezzo, for instance, had been sold in a single lot and at a sacrifice price. Another ecclesiastical estate comprising thirty-five farms was also to be sold in one lot. Private individuals could not be competitors for such vast lands and the property so sold would either fall back again into the hands of the clergy or be bought up by associations of speculators. Worst of all, there was "such apathy in the Italian public, and such a want of moral courage and sense of duty in Italian statesmen," that no matter how gross the abuses perpetrated, there was little

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<sup>46</sup> Marsh to Seward, no. 190, September 2, 1867, Florence, *ID*, vol. 11. Cf. Marsh to Seward, nos. 185 and 187, July 27 and August 16, 1867, confidential, Florence, *ibid*.

<sup>47</sup> No. 187 in *ibid*.



probability that any official would be held accountable even for an explanation of such palpable violation of the law.<sup>48</sup> By April, 1869, Marsh said flatly: "The financial embarrassments of the government continue, and none of the measures hitherto proposed have afforded effectual relief."<sup>49</sup>

Marsh's summary treatment of the Vatican Council was merely a *da capo al fine* of his usual theme. Let the Pope fulminate as he pleased, if the Government and the people of Italy had sufficient "moral courage" and "mutual confidence," they could still "secure the complete independence of Italy from ecclesiastical domination, or even influence in political affairs."<sup>50</sup>

Marsh sent to the State Department a detailed account of the now familiar facts of the taking of Rome in 1870. His description highlighted the bewilderment of the Italian ministry now that their French oracle, Napoleon III, was no longer able to insinuate policy. Expediency would dictate all that followed.<sup>51</sup> As for the American government, the reaction to the annexation of the eternal city was rapid and pragmatic. Since Mr. D. M. Armstrong, United States consul at Rome, had received his exequatur from the "late Papal Government," and Italian rule was now actually extended over the Papal States, it was proper that he should be recognized by that government, and Marsh should make application for the usual exequatur.<sup>52</sup> Since no further instructions were given him, Marsh took this directive as sufficient recognition of the extension of royal jurisdiction over the recent pontifical territory. Accordingly, on July 1, 1871, he notified the Ministry of Foreign Affairs that the office of the legation was established at Rome. The next day the King made his formal entry into the city.<sup>53</sup>

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<sup>48</sup> Marsh to Seward, no. 199, confidential, January 18, 1868, Florence, *ID*, vol. 12.

<sup>49</sup> Marsh to Fish, no. 245, April 6, 1868, Florence, *ibid*.

<sup>50</sup> Marsh to Fish, no. 257, August 7, 1869, Florence, *ID*, vol. 12, and no. 276 confidential, January 10, 1870, Florence, *ID*, vol. 13. Cf. *infra*, p. 166 n.

<sup>51</sup> Cf. Wurts to Fish, no. 295, July 26, 1870; no. 300, September 6, 1870; no. 301, September 9, 1870; no. 302, September 10, 1870; no. 304, September 21, 1870, confidential; no. 305, September 22, 1870, confidential, Florence, *ID*, vol. 13.

<sup>52</sup> Fish to Marsh, no. 260, October 19, 1870, Washington, *Inst. It.*, vol. 1.

<sup>53</sup> Marsh to Fish, no. 363, July 3, 1871, Rome, *ID*, vol. 13.

Shortly after Victor Emmanuel took possession of his new capital, Luigi Corti, Italian representative at Washington, despatched an explanatory letter to the State Department, enclosing a copy of the Law of Guarantees of May 13, 1871.<sup>54</sup> It will be remembered that this unilateral settlement of the Roman Question had granted the Pope sovereign rights, freedom of communication, the use of the Vatican and Lateran palaces and Castel Gandolfo, and an annual allowance. The Pope had declined this arrangement on May 15, 1871, in the encyclical, *Ubi Nos*, chiefly because it was an imposed, revocable, national statute instead of a negotiated agreement between two sovereign powers.<sup>55</sup> Italy maintained, however, that an effort had been made to reach "harmony through liberty." The newly united kingdom had been especially careful to recognize the Pope's character as Sovereign Pontiff with the privilege of having his own duly accredited diplomatic corps. The innovation affected only the internal law of the state, and it was expected that other governments would see therein evidence of Italy's sincere desire to be permanently on good terms with the papacy.<sup>56</sup> The State Department replied with an expression of gratitude for the "luminous and interesting statement" of the policy of the Italian government, adding that it was not usual for the United States government to express opinions on public European affairs, and there was no occasion to deviate from the rule in this instance. The Italian minister might be assured, however, that "we take a lively interest in whatever may contribute to the welfare of Italy and sincerely hope that the measure to which you advert may lead to that desirable result."<sup>57</sup>

In view of subsequent official theft of more church property, it is noteworthy that in October, 1871, the Ministry of Foreign Affairs directed Corti to obtain minute information regarding the "conditions of existence of religious bodies in the United States" particularly respecting "their right of holding property, according

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<sup>54</sup> Corti to Fish, July 7, 1871, Newport, R. I., *From It.*, vol. 5.

<sup>55</sup> Cf. Aubert, *op. cit.*, p. 368.

<sup>56</sup> Corti to Fish, July 7, 1871, Newport, R. I., *From It.*, vol. 5.

<sup>57</sup> Hunter to Corti, July 18, 1871, Washington, *To Italy*, vol. 7.

to the laws in force, and to the manner in which religious bodies may acquire the character of civil persons." The Italian government also wanted to know whether or not the Catholic Church actually owned property in the states, and if so, by whom it was managed.<sup>58</sup> Secretary Fish promptly answered that the regulations affecting the creation of corporations, civil or religious, and the modes of acquiring and transmitting property were established by the respective states and were not subject to federal control except in territories subject to the exclusive jurisdiction of Congress. The Department enclosed copies of the Act to Provide for the Creation of Corporations in the District of Columbia which would give a sufficiently clear idea of the general spirit of state legislation on the subject. The Department could only comply "fully and literally" with the request made by despatching a voluminous collection of the law books of the several states. In answer to the query as to the actual ownership of property by the Church, Fish stated that the Church did possess property of a very large value. An estimate of the approximate amount would be obtainable from the census then in course of publication. As for the agents by whom such property was managed, "the prelates of that church" were much more competent than the Department to furnish this information. It was understood that the title to ecclesiastical property, in the strict sense of the word, was ordinarily, if not universally, vested in the bishop of the diocese in which the property was situated. The Secretary was not informed as to the facts in relation to the property of the various religious and charitable orders.<sup>59</sup>

The years, 1872 and 1873, witnessed numerous parliamentary debates in Italy on the extension of the Piedmontese law for religious bodies to the religious corporations in Rome. Corti asked for another copy of the incorporation laws of the District of Columbia and received it.<sup>60</sup> More requests for similar information followed periodically. In 1874 the Ministry of Foreign Affairs sent a lengthy questionnaire on charitable institutions—so long,

<sup>58</sup> Corti to Fish, October 5, 1871, Newport, R. I., *From Italy*, vol. 5.

<sup>59</sup> Fish to Corti, October 11, 1871, Washington, *To Italy*, vol. 7.

<sup>60</sup> Corti to Davis, March 23, 1873, Washington, *From It.*, vol. 6; Davis to Corti, March 24, 1873, Washington, *To It.*, vol. 7.

indeed, that Corti apologetically wrote that "they ask for so many things that to most of them I suppose it will not be possible to give any reply." However, as it was in order to comply with a resolution of the parliament, he hoped the State Department would just try to get what it was possible to obtain on the points submitted.<sup>61</sup> The next year the Italian minister was instructed by the royal government to request "laws relating to property of Roman Catholic Churches now in force in those States of the North American Union in which there are Catholic communities of any importance."<sup>62</sup> Again, the Department replied as best it could to a petition that would have involved a huge collection of state constitutions and laws. The same was true of a plea in 1878 for copies of the United States Constitution and of the Constitutions of the several states.<sup>63</sup> Inconsequential as these petitions may appear, they are not totally insignificant. The requests indicate real study on the part of the Italian government to rectify as best might be, a *fait accompli*, and they certainly bespeak a respect for the comparatively smooth church-state relations in the United States. Although Marsh continued to barrage the State Department with his far from complimentary remarks on the church (expressions illustrative of his persistent attitude: "corporation of tonsored bonzes,"<sup>64</sup> priests as "obscene birds of night,"<sup>65</sup> etc.) his picturesque phrases had no apparent effect upon official policy. Except for the Marsh epithets and the petitions from the Italian legation, all the violent repercussions of the Roman Question that so stirred Europe affected the American government very little.

There was only one small instance which might have served to accentuate American aloofness rather than to contradict the fact. At the time of the admission of the Italian exhibits for the Philadelphia Centennial in 1876 the Italian Government noted

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<sup>61</sup> Corti to Cadwalader, August 17, 1874, Newport, R. I., *From It.*, vol. 6.

<sup>62</sup> Litta to Fish, October 22, 1875, New York, *From It.*, vol. 7.

<sup>63</sup> Fish to Litta, October 26, 1875, Washington, *To It.*, vol. 7; Litta to Fish, July 13, 1878, Washington, *From It.*, vol. 8; F. W. Seward to Litta, July 17, 1878, Washington, *To It.*, vol. 7.

<sup>64</sup> Cf. Marsh to Seward, no. 83, February 2, 1864, Turin, *ID*, vol. 11.

<sup>65</sup> Cf. Marsh to Seward, private, September 4, 1861, Turin, *ID*, vol. 10.

with concern that Mr. Louis B. Binsse, who in 1850 had received his exequatur as papal consul at New York was still exercising his functions there. The royal government promptly asked for his recall and received the answer that according to the Law of Guarantees the Pope still had the right to a diplomatic corps and the State Department felt that this right extended to consuls. Furthermore, it was a dangerous precedent for one sovereign power to request the recall of the officials of another. The Italian legation animatedly rejoined that consuls were not diplomatic officers, according to the declaration of Vienna of 1815 or even according to that "eminent American authority," Henry Wheaton, and besides, the carrying out of consular functions presupposed the exercise of actual territorial sovereignty on the part of the government served. This explanation notwithstanding, as long as Hamilton Fish was in office, Mr. Binsse remained secure in New York. It was left to William M. Evarts in 1877 to issue the circular to American representatives abroad that withdrew the exequaturs of consuls appointed by the Government of the Vatican.<sup>66</sup>

Aside from the fact that the Philadelphia Centennial brought to the fore the question of the accreditation of papal consuls, the great international exhibition and Italy's part in it make an interesting digression from more vital problems. The Italian participation was bungled from the very start. On July 3, 1873, in pursuance of an act of Congress, March 3, 1871, the President issued the proclamation of the Centennial Exhibition to be held at Fairmont Park, Philadelphia, in 1876.<sup>67</sup> In December, 1873, Marsh spoke of the forthcoming affair to the Minister of Foreign Affairs who promised to inform the Minister of Agriculture, Industry, and Commerce.<sup>68</sup> Almost immediately the Minister of Finance ex-

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<sup>66</sup> The correspondence relating to the affair of the papal consul is printed in Leo Francis Stock, *Consular Relations between the United States and the Papal States* (Washington: American Catholic Historical Association, 1945), pp. 429-437.

<sup>67</sup> *The United States International Exhibition, 1776-1876* (Philadelphia, 1875), pp. 8-11.

<sup>68</sup> Marsh to Fish, no. 482, December 13, 1873, Rome, *ID*, vol. 14.

pressed his objections on the score of expense.<sup>69</sup> On June 30, 1874, Italy was formally invited to participate and was asked to send an agent or commissioners.<sup>70</sup> The Italian government would give no satisfaction. It refused to lend any material aid to the project or assume any responsibility on the subject. Chile had just made a similar application, while recent Italian contributions to international exhibitions in South America had proved quite embarrassing. There had been difficulty both in regard to transportation and in reclaiming and recovering objects sent.<sup>71</sup> In February, 1875, Marsh repeated a suggestion he had made in the fall of the previous year to the effect that the United States offer to transport the Italian contribution and send a special agent to Italy to promote the idea of participation.<sup>72</sup> In April, 1875, Italy decided to participate;<sup>73</sup> in June she withdrew her acceptance;<sup>74</sup> in November she decided to participate after all and requested that the space originally allotted to her be reserved for her use.<sup>75</sup> The Royal Legation in Washington was to act in lieu of a special commission.<sup>76</sup> Marsh repeated his request for American transportation and in January the U.S.S. *Supply* was directed to convey Italian articles to the United States, provided they did not take up too much space.<sup>77</sup>

Three aspects of the Italian contribution found their way into diplomatic correspondence. Professor Alexander Rossi had decided to capitalize on the art exhibit he brought to Philadelphia by taking part of his *objets d'art* on tour of the United States.

<sup>69</sup> Marsh to Fish, no. 484, December 16, 1873, and no. 485, December 28, 1873, Rome, *Ibid.*

<sup>70</sup> Fish to Marsh, no. 431, June 30, 1874, Washington, *Inst. GPM*, vol. 5.

<sup>71</sup> Marsh to Fish, no. 519, October 1, 1874, Rome, *ID*, vol. 15.

<sup>72</sup> *Ibid.* and Marsh to Fish, no. 536, February 10, 1875, Rome, *ID*, vol. 15; cf. Fish to Marsh, no. 464, February 22, 1875, *Inst. GPM*, vol. 5.

<sup>73</sup> Marsh to Fish, no. 552, April 30, 1875, Rome, *ID*, vol. 15.

<sup>74</sup> Marsh to Fish, no. 562, June 30, 1875, Rome, *ibid.*

<sup>75</sup> Marsh to Fish, no. 580, November 8, 1875, Rome, in *ibid.*, and *Note verbale*, November 9, 1875, *From It.*, vol. 7.

<sup>76</sup> Blanc to Fish, November 25, 1875, Washington, *From It.*, vol. 7.

<sup>77</sup> George M. Robeson, Sec. of Navy to Z. Chandler, Sec. of Int., Washington, January 7, 1876. Enclosure to Fish to Marsh, no. 507, January 25, 1876, *Inst. GPM*, vol. 6.

His several requests for rebates or refunds of customs had to be refused, even though he rankled at American lack of appreciation of fine art.<sup>78</sup> Prince Alexander Torlonia, who had been one of the Italians most responsive to the original project of the Exhibition, had offered the plans and models of his tunnel draining Lake Fucino.<sup>79</sup> By some misdirection of cargo his exhibit did not arrive until almost the end of the exposition, far too late for the awarding of prizes.<sup>80</sup> Marsh regretted the mishap so much that he asked permission to send a special acknowledgment to the Prince to assuage his disappointment.<sup>81</sup> The Italian exhibition of fine wines had much better success at first. Special permission had to be asked to use part of the duty-free wine in the testing-tasting process, because ordinarily imports of this kind were not to be consumed. One can almost see the departmental smiles as Baron Blanc was informed that "the use by jurors of two quarts of each exhibit of wine, for the purpose of testing its quality, has been authorized, but that the consumption for other purposes of wine admitted free of duty for the Exhibition is not sanctioned by law."<sup>82</sup> Need one add that the luscious Italian liquor won the big prize? But ill-fortune caught up with this exhibitor, too. As late as 1881 the Italian legation sent a modest reminder to the State Department that "Mr. Charles Albert Gianali . . . to whom the grand diploma was awarded at the Philadelphia Exhibition for the wines which he exhibited there, has never received either the diploma itself or the report of the jury which awarded it to him. . . ."<sup>83</sup> Now it was an occasion for American embarrassment.

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<sup>78</sup> Blanc to Fish, September 3, 1875, Washington, *From It.*, vol. 7; Hunter to Blanc, September 14, 1876, Washington, *To It.*, vol. 7; Rossi to Hayes, Paris, June 30, 1878, enclosure to Litta to Evarts, Washington, August 13, 1878, *From It.*, vol. 8.

<sup>79</sup> Marsh to Fish, no. 584, December 6, 1875, Rome, *ID.*, vol. 15; Wurts to Fish, no. 609, July 6, 1876, Rome, *ID.*, vol. 16.

<sup>80</sup> Marsh to Fish, no. 630, October 16, 1876, Rome, *ID.*, vol. 16; Wurts to Hunter, October 29, 1876, Philadelphia, *ibid.*

<sup>81</sup> Marsh to Fish, no. 630, October 16, 1876, Rome, *ibid.*; Cadwalader to Marsh, no. 548, November 8, 1876, Washington, *Inst. GPM.*, vol. 6.

<sup>82</sup> Blanc to Fish, June 13, 1876, Washington, *From It.*, vol. 7; Fish to Blanc, June 28, 1876, Washington, *To It.*, vol. 7.

<sup>83</sup> Camporeale to Blaine, April 20, 1881, Washington, *From It.*, vol. 9.

The fumbling of the Italian participation in the Philadelphia Centennial appears the more surprising when one considers that Italy herself sponsored a number of international exhibitions and conferences between 1861 and 1882, ranging from a textile conference to a maritime exhibition, and from a horticultural exposition to a charity congress. The United States always considered the invitation promptly and with at least polite enthusiasm.<sup>84</sup>

Interspersed among the regular documentary business of the Italo-American post-war world may still be found segments of a strange story. This is the tale of the claim of one of Garibaldi's associates, a fabulous, but as yet little-known citizen of the United States, William de Rohan.<sup>85</sup> On an average of once a month, and sometimes oftener, for thirteen years, this ex-seaman laid his claim against the Italian government before the State Department or the American legation in Italy, with a persistency that has rarely been excelled. He had been the captain of the *Washington*, a ship which Garibaldi used in the Sicilian expedition of 1860. In his own mind, Rohan had performed services so great that his contribution was the determining factor in the making of Italy.<sup>86</sup>

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<sup>84</sup> Correspondence relating to some of these international meetings may be found in *From It. and To It.* for the respective years:

Sponsored by Italy:

1. Statistical Conference—1867
2. Maritime Exhibition—1870
3. Horticultural Exhibition—1874
4. Congress of Silk-husbandry—1876
5. Congress of Orientalists—1877
6. Meteorological Conference—1879
7. Charity Conference—1880
8. Bankruptcy Conference—1880

Sponsored by the United States:

1. Sanitary Conference—1880
2. International Monetary Conference—1882.

<sup>85</sup> For general biographical facts, cf. "DeRohan, William," *The National Cyclopaedia of American Biography*, V, 24.

<sup>86</sup> "... The services which I rendered to Italy were admitted historically to be of a nature which decided whether 'Italy' was or was not to be. . . ."



Compensation to him was only fair and just. He was a poor man, he averred, only seeking that of which he had been defrauded. Yet he did not write as though he were just another disgruntled sea-captain muttering his complaints after having out-lived his days of buccaneering adventure. One after another of his letters which reappear in the files of the National Archives with a fatiguing regularity reveal the courtesy, the elegance, the *savoir faire* of one who has mingled in high circles and shared experiences with the great. And so he had.

"William de Rohan" was the assumed name of William Dahlgren (1819-1891), descendant of Swedish nobility and son of the New York consul of the Swedish government; brother of Admiral John Dahlgren, U.S.N., a scholar, inventor (notably of the famed Dahlgren gun which revolutionized naval ordnance), and one of the most prominent seamen of the Union side in the Civil War.<sup>87</sup> As a young man, William had such a grave misunderstanding with his brother, John, that he vowed never again to bear the name of Dahlgren and took the surname, "De Rohan" from his mother's maiden name, Rowan. He went to Europe, moved in high society, and began his cosmopolitan career by taking service in the Turkish navy with the rank of Captain. From the ships of the sultan, Rohan moved to the cadres of Garibaldi, following that lusty leader to the Argentine. Here he commanded a naval force, then went to Chile and became an admiral in the Chilean navy. Finally he returned with Garibaldi to Italy and shared with him the still-enigmatic adventures of 1860. Rohan was in Genoa in June of that year. The Thousand were about to embark for Sicily, but the problem of transportation appeared insurmountable. Three French ships were in port, *L'Helvétie*, *L'Amsterdam*, and *Le Belgium*. Neither the French nor the

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Rohan to Fish, July 12, 1876, New Haven, enclosure to Fish to Wurts, July 24, 1876, Washington, *Inst. GPM*, vol. 6.

Garibaldi did not mention De Rohan in his *Autobiography*, but he did refer to his use of the *Washington* and the *Franklin*, II, 205-207.

<sup>87</sup> Madeline Vinton Dahlgren, *Memoir of John A. Dahlgren* (Boston: James R. Osgood and Company, 1882). In this biographical study of Rear-Admiral Dahlgren, Mrs. Dahlgren made no mention of her erratic brother-in-law.

Italian government would authorize their use for the expedition, claiming that such would be a violation of neutrality. The need for action was immediate and Rohan appeared as the only answer. Let him buy the ships in his name. Then under the cover of the American flag all would be well. Rohan accordingly became the proprietor of the ships whose names were changed to the *Washington*, the *Franklin*, and the *Oregon*. After having been used by the Garibaldians, these ships were taken over by the Italian government. Italian unity achieved, Rohan wanted to fight with the Union in the Civil War, but he feared that he would have to serve under his brother, who was first in command of the Washington naval yard and chief of the bureau of naval ordnance, and then in charge of the South Atlantic blockading squadron. Rohan therefore continued his peregrinations in Europe.

Rohan's name appeared in the diplomatic correspondence for the first time in August, 1868, when Marsh reported the seaman's correspondence with the American legation in Italy. The adventurer was asking for compensation for the sequestered ships.<sup>88</sup> The Department responded that it had not yet received any communication on the subject.<sup>89</sup> Not until 1873 did the Secretary of State write that Rohan had appealed to the Department. He had been informed that the American government preferred not to authorize a compliance with his request. Still, Marsh was told to make inquiries.<sup>90</sup> He did. The Italian government said in 1874 that it had no funds for such a purpose;<sup>91</sup> in 1875, that the royal government refused to recognize such a "stale claim." Marsh then suggested a request for the personal intervention of Garibaldi.<sup>92</sup> The indefatigable Rohan wrote both to Minghetti and to Garibaldi. Subsequently he received from Garibaldi three favorable letters which he forwarded to the State Department<sup>93</sup> with

<sup>88</sup> Marsh to Seward, no. 222, August 2, 1868, Florence, *ID*, vol. 12.

<sup>89</sup> Seward to Marsh, no. 208, October 29, 1868, Washington, *Inst. GPM*, vol. 1.

<sup>90</sup> Davis to Marsh, no. 402, September 19, 1873, Washington, *Inst. GPM*, vol. 5.

<sup>91</sup> Marsh to Fish, no. 496, May 25, 1874, Rome, *ID*, vol. 15.

<sup>92</sup> Marsh to Fish, no. 561, June 18, 1875, Rome, *ibid.*

<sup>93</sup> Rohan to Fish, July 12, 1876, New Haven. Enclosure to Fish to Wurts, July 24, 1876, Washington, *Inst. GPM*, vol. 6.

no very electrifying results. Rohan then tried to appeal to Congress with the effect that Charles Faulkner wrote to Marsh encouraging him to help Rohan.<sup>94</sup> Marsh asked for an estimate of the amount of Rohan's claim, but the impoverished old sea-captain could not give a precise statement.<sup>95</sup> By this time his claim included "disablement for life through injury received at Milazzo." Marsh now turned to Minghetti and to Garibaldi. The latter stated that he did not know Rohan had been wounded at Milazzo.<sup>96</sup> Nothing daunted, Rohan meanwhile produced a statement from J. West Nevens, commander of the *Oregon*, confirming his claim and praising Rohan's "indomitable daring and executive ability" to which "the expedition owed its successful termination."<sup>97</sup> Perhaps in sheer weariness, the State Department then wrote to Marsh of Rohan's "entire misconception of the subject," but asked if the Italian government would not act in the spirit of "liberal bounty."<sup>98</sup> The Ministry of Foreign Affairs in its turn suggested an appeal to the courts.<sup>99</sup>

The Department, meantime, had been doing a little investigating on its own. It brought to light that Rohan had not really put up the money for the ships, but had merely allowed his name to be used. The vessels had been sold by Joseph Finzi, head of Garibaldi's "Million Rifles" Committee, but then acting as "agent of the King of Sardinia." It was not possible that the "Million Rifles" fund was large enough to purchase three ships.<sup>100</sup> If the sum came out of the royal treasury, where did that leave Rohan's claim? As far as Marsh could see, about all Rohan could ask for was payment for services, but on the other hand, had not those

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<sup>94</sup> Rohan memorial to the House of Representatives, January 10, 1876, and Charles J. Faulkner to Fish, April 25, 1876, Washington. Enclosures to Fish to Marsh, no. 515, May 2, 1876, Washington, *Inst. GPM*, vol. 6.

<sup>95</sup> Fish to Wurts, no. 528, July 24, 1876, Washington, *ibid*.

<sup>96</sup> Garibaldi to Marsh, Caprera, November 11, 1876. Enclosure to Marsh to Fish, no. 638, November 11, 1876, Rome, *ID*, vol. 16.

<sup>97</sup> Report of J. West Nevens in Rohan to Fish, July 21, 1876. Enclosure to Fish to Wurts, no. 532, August 3, 1876, *Inst. GPM*, vol. 6.

<sup>98</sup> Fish to Marsh, no. 550, November 13, 1876, Washington, in *ibid*.

<sup>99</sup> Marsh to Fish, no. 645, November 28, 1876, Rome, *ID*, vol. 16.

<sup>100</sup> Fish to Marsh, no. 563, January 29, 1877, and Evarts to Marsh, no. 568, March 27, 1877, *Inst. GPM*, vol. 6.

services been voluntarily rendered? Marsh felt that Rohan had disastrously compromised his own position by not being sufficiently upright from the very beginning.<sup>101</sup> Rohan refused to give up. In May, 1879, he wrote hopefully that now that there was a new king and Garibaldi was again in Rome, perhaps something could be done.<sup>102</sup> The next month he pathetically scribed that he could only throw himself on the mercy of Garibaldi and Depretis.<sup>103</sup> Marsh had to reply that the fact that there was a new king really did not alter the situation one bit.<sup>104</sup> But Rohan persisted, until Marsh finally sent to Washington the bald opinion that he deemed it quite idle for the legation to take further steps in the matter.<sup>105</sup> This ended a thirteen-year correspondence. Rohan never received the compensation he had come to feel he deserved. In 1891 he died, a poor man, in Washington, D. C. Thirty-one years before, Rohan had written to Medici, head of the entire naval expedition of 1860, that in all his activity he had had only one guiding star—to do some “little act of value” which would make him worthy of a single word of appreciation from Garibaldi, whom he revered “with the devotion of a religion,” and for whom he would risk everything. Indeed, Rohan had then expanded, Garibaldi had already more than repaid him. “The greatest man of the age,” Garibaldi, “Il Salvatore d’Italia,” had embraced and thanked him.<sup>106</sup>

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<sup>101</sup> Marsh to Evarts, no. 667, May 2, 1877, Rome, *ID*, vol. 16.

<sup>102</sup> Victor Emmanuel died January 9, 1878. Rohan to Evarts, May 24, 1879, New York. Enclosure to Evarts to Marsh, no. 677, June 4, 1879, Washington, *Inst. GPM*, vol. 7.

<sup>103</sup> Rohan to Evarts, June 5, 1879, New York. Enclosure to Evarts to Marsh, no. 680, June 11, 1879, Washington, *ibid*.

<sup>104</sup> Marsh to Evarts, no. 836, June 20, 1879, and no. 837, June 27, 1879; Marsh to Rohan, July 6, 1879, personal; Rome, *ID*, vol. 17.

<sup>105</sup> Marsh to Evarts, no. 934, January 29, 1881, Rome, *ID*, vol. 18.

<sup>106</sup> Rohan to Medici, Alcame, June 20, 1860, in Gay, “Garibaldi’s American Contacts,” *op. cit.*, p. 11.

## CHAPTER IV

### ITALO-AMERICAN TREATIES

Except for the unconsummated navigation treaty of the early Civil War period,<sup>1</sup> Italo-American treaties, 1861-1882, represented each country's attempt to settle advantageously, and with a fair amount of generosity, some of the usual problems resulting from ordinary intercourse. There were a series of postal conventions beginning in 1863; abortive emigration and naturalization treaties in the sixties; in 1868, a consular convention and a treaty of extradition; and a commercial treaty in 1871. These agreements carried none of the awesome import of the contemporary early Bismarckian alliances, yet their negotiation and revision revealed fundamental Italian problems which lay at the root of a subtle nuance in American attitude<sup>2</sup> which later grew into a real revision of policy.

It was the Civil War administration of the United States which first brought up the question of the re-organization of international postal traffic. In a note dated August 4, 1862, Postmaster General Montgomery Blair suggested an international postal conference to discuss the amelioration and simplification of postal procedure. The most obvious difficulties to be remedied were the uncertainty in the transmission of the mails and the multiple taxation to which they were subject. It was not unusual for a postal item to be taxed six different times as it made its way to the country of destination. Fifteen countries responded favorably to Mr. Blair's proposition. Among them, was Italy.

The first international postal conference was held in Paris from May 11 to June 8, 1863. Of the fifteen countries expected, only

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<sup>1</sup> Cf. chapter 1, p. 2.

<sup>2</sup> Popular expression of this attitude found vent in the frequent anti-Italian demonstrations in the latter part of the nineteenth century and the early decades of the twentieth. The disfavor was institutionalized in the Naturalization Act of 1924 which discriminated against peoples from southern and eastern Europe as representative of unassimilable "alien" cultures.

Ecuador was absent.<sup>3</sup> The United States was represented by Postmaster General Montgomery Blair, Mr. John Kasson, and a Mr. Mohle. Italy sent the Chevalier Pagni, Inspector General of the Italian Postal Service, and the Chevalier Agostini, Chief of the General Administration Section of the Italian Postal Service.<sup>4</sup> The purpose of the conference was not to lay down practical rules of action—that was the domain of negotiation—but rather to discuss and to proclaim certain general principles. The delegates would then try their best to have these principles implemented and enforced by their respective governments. In summary, the final but non-obligatory decisions of the conference covered these points: 1. The determination of the obstacles which prevented rapid and facile commerce; 2. the focusing of attention in a general manner upon the defects of the postal service that they might not be aggravated; 3. the exposition of the principles which it was important that each administration consider when making international postal conventions; 4. the delimitation of the questions to be resolved in order to reach that simplicity and uniformity desirable in international postal relations. The importance of these topics is evident in the fact that from the point of view of mail service, the countries represented at Paris in 1863 comprised nine-tenths of the commerce and nineteen-twentieths of the correspondence of the entire world. They stood for four hundred-million persons belonging to the most civilized and industrialized nations of the globe.<sup>5</sup>

On July 8, 1863, exactly one month after the end of the conference, the United States and Italy signed at Turin the first postal convention in history between the Washington government and a sovereign Italian power.<sup>6</sup> At the time, each country's internal

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<sup>3</sup> *L'Union postale universelle sa fondation et son développement 1874-1949 Mémoire* (Berne: Le Bureau international de l'Union [1949]), p. 11; Seward to Marsh, no. 65, January 5, 1863, Washington, *Inst. GPM*, vol. 1; Marsh to Seward, no. 65, January 24, 1865, Turin, *ID*, vol. 10.

<sup>4</sup> *L'Union postale*, p. 16; Marsh to Seward, no. 68, March 11, 1863, Turin, *ID*, vol. 10; Seward to Marsh, transmitting circular of M. Blair dated March 2, 1863, March 23, 1863, *Inst. GPM*, vol. 1.

<sup>5</sup> *L'Union postale*, pp. 11-13.

<sup>6</sup> This information was obtained by checking the postal conventions, Division of Internal Mail Service, Bureau of the Second Assistant Postmaster General, Record Group 28, Post Office Department, Business-Economics Section, Industrial Records Division, National Archives, Washington, D. C.

communications were sorely disrupted, but each government also had a praise-worthy tradition of mail service to uphold. The United States had already extended and adapted to a land of vast frontiers the English postal customs long ago inherited.<sup>7</sup> The Italian government had the more difficult problem of Piedmontizing the rest of the peninsula, and sharing the distinct Sardinian reputation in postal matters. As early as 1819 the kingdom of Sardinia had put out postal forms of fifteen, twenty-five, and fifty *centesimi*. These forms were sheets of stamped white paper which served at the same time as an envelope. They remained in use until 1836. English postage stamps first appeared on Sardinia-like forms in 1840, but in a few months the stamps came into use as they are at present.<sup>8</sup> Now, in the early sixties, both Italy and the United States, war notwithstanding, envisioned new, rapid, internal service through the medium of the telegraph and the railroad.<sup>9</sup>

The Postal Convention of 1863 bore the signatures of John A. Kasson and Don Giovanni B. Barbavara, Director-General of the Postal Service of Italy. It was ratified at Florence on June 14, 1866, by LaMarmora and George Perkins Marsh, and approved by Victor Emmanuel II and Visconti-Venosta.<sup>10</sup> The three years' delay was the result of the aftermath of the September Conven-

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<sup>7</sup> Cf. Ross Allan McReynolds, *United States Postal Development, 1607-1931: Summary and Interpretation* (Chicago: Private edition distributed by the University of Chicago Libraries, 1937), pp. 1-21.

<sup>8</sup> *L'Union postale*, p. 8.

<sup>9</sup> McReynolds, *op. cit.*, pp. 21-24.

<sup>10</sup> The convention is filed in R. G. 28, P.O. Dept. For the procedure followed in concluding the postal conventions, cf. Arthur Hecht, *Preliminary Inventories*, Number 82, Records of the Bureau of the Second Assistant General, 1814-1946, The National Archives, Washington, 1955, pp. 14-15:

"From February 20, 1792, to June 8, 1872, postal conventions and agreements were made under special statutes. An act passed on the latter date gave the Postmaster General authority to negotiate and conclude postal treaties or conventions by and with the advice and consent of the President. Such agreements are not submitted to the Senate but are approved and ratified by the President and pass under the Great Seal. Bilateral conventions are generally signed by the Postmaster General; multilateral conventions are agreed on at international postal congresses and signed by the United States delegates."

tion of 1864. The transfer of the capital to Florence and the repeated threats to the LaMarmora government caused protracted and repeated suspension of business.<sup>11</sup> The Convention provided for exchange post offices at New York, Boston, Turin, Milan, and Magadina.<sup>12</sup> The standard weight of a letter was fixed at fifteen grams;<sup>13</sup> and the rate, at fifteen cents or eighty *centesimi* per letter.<sup>14</sup> The regulation of the accounts of the two governments and the mode of transmittal of correspondence were laid down.<sup>15</sup> The twenty-six articles of the 1863 arrangement were modified by a convention of November 8, 1867, signed by John A. Kasson and by the Chevalier Advocate Giovanni Battista Tantesio. The articles agreed upon received the approval signatures of President Andrew Johnson and Alexander W. Randall, Postmaster General.<sup>16</sup> Among other points, the 1867 convention dropped Boston as a post office of exchange;<sup>17</sup> and slightly modified or enlarged the rules for the transmittal not only of letters, but of newspapers, prints of all kinds, books, maps, plans, engravings, drawings, photographs, lithographs, sheets of music printed or written, and patterns or samples of merchandise, including grains and seeds.<sup>18</sup> Each administration was to make its own arrangements, at its own expense, for the despatch of its mails to the frontier of the country of destination. The cost of inter-governmental mail was to be determined by that country securing the most favorable terms of ocean transport.<sup>19</sup> On May 2, 1868, Kasson and Tantesio signed at Florence the detailed arrangements for the execution of the Postal Convention of 1867.<sup>20</sup>

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<sup>11</sup> Seward to Marsh, no. 101, June 16, 1864; no. 137, August 28, 1865; no. 146, May 7, 1866; no. 157, September 10, 1866; Washington, *Inst. It.*, vol. 1. Marsh to Seward, no. 125, September 15, 1865; no. 130, December 31, 1865; no. 141, May 28, 1866; no. 142, June 14, 1866; no. 147, July 12, 1866; Florence, *ID*, vol. 11.

<sup>12</sup> Art. III.

<sup>13</sup> Art. IV.

<sup>14</sup> Art. V.

<sup>15</sup> Art. VI, VII, IX.

<sup>16</sup> R.G. 28, P.O. Dept.

<sup>17</sup> Art. II.

<sup>18</sup> Art. I.

<sup>19</sup> Art. III.

<sup>20</sup> R.G. 28, P.O. Dept.



During these same years after the conference of 1863 the United States concluded postal arrangements with Great Britain, North Germany, France, Belgium, Switzerland, and the Netherlands.<sup>21</sup> Other countries were similarly interested. At the end of 1868, M. De Stephan of the North German Confederation brought forth the project of a universal postal union to be discussed in a new general conference. As German diplomatic feelers to this end were sent out in 1869 and then cut short by the Franco-Prussian War,<sup>22</sup> Italy and the United States went ahead with their own arrangements. In May, 1869, a new article to replace article 16 of the detailed regulations of 1867 was signed by J. A. J. Creswell, Postmaster General at Washington, and by G. B. Barbavara. The new article stipulated how the accounts were to be kept and paid.<sup>23</sup> An additional convention to that of 1867 was signed by Creswell and Barbavara and approved by President U. S. Grant and Hamilton Fish on February 8, 1870. The cost of closed mail from the United States to Italy and *vice versa* via England was reduced to ten cents or fifty-five *centesimi* per letter. For providing sea conveyance across the Atlantic, the United States was to receive six cents per ounce or six cents per thirty grams.<sup>24</sup>

The suggestion for an international postal conference was again taken up after the Franco-Prussian War. The meeting was scheduled for 1873, but at the request of Russia, which state had not been present in 1863 at Paris, the conference was postponed until 1874. Berne was the scene of assembly.<sup>25</sup> Twenty-one countries attended. Of the fourteen represented in 1863 at Paris, all were again at Berne, except that Germany replaced Prussia and the Hanseatic cities, and Costa Rica and the Sandwich Islands (Hawaii) did not come. Besides Luxembourg, Norway, and Sweden, all the newcomers were from the east: Egypt, Greece, Rumania, Russia, Serbia, and Turkey. Italy was represented by Tantesio, now Director, Chief of Division of the first class at the office of the Director General of the Postal Service; and the

<sup>21</sup> *L'Union postale*, pp. 14, 17.

<sup>22</sup> *Ibid.*, p. 18.

<sup>23</sup> R.G. 28, P.O. Dept.

<sup>24</sup> *Ibid.*

<sup>25</sup> *L'Union postale*, p. 14.

United States by Joseph H. Blackfan, Director of the Foreign Postal Service.<sup>26</sup> These delegates signed for their respective countries both the treaty which created the Universal Postal Union and the detailed postal regulations of October 9, 1874.<sup>27</sup> This new treaty and its implementing provisions abrogated all previous postal arrangements made between the twenty-one participants.<sup>28</sup> The treaty fixed international units of weight and postage, provided for ordinary transit charges, and eliminated all accounting for and division of postage by stipulating that each international postal office should keep the whole of the sums collected in virtue of the treaty.<sup>29</sup> No tax or duty other than those specified was to be imposed on the senders of letters and other postal packets.<sup>30</sup> The right of transit was guaranteed throughout the entire territory of the Union.<sup>31</sup> For the more efficient operation of the Union, an International Office of the General Postal Union was to be set up<sup>32</sup> and provision made for a tri-ennial congress of delegates of member-countries.<sup>33</sup> From 1874 on, Italo-American postal regulations were handled according to the stipulations of various conferences of the Universal Postal Union. For our period of discussion, these were the Paris Conferences of 1878<sup>34</sup> and 1880.<sup>35</sup>

While earnest attempts were being made to facilitate communications between Italy and the United States, some curious

<sup>26</sup> *Ibid.*, pp. 16, 35-36.

<sup>27</sup> *Treaty concerning the Formation of a General Postal Union* (Washington: Government Printing Office, 1875).

<sup>28</sup> *Ibid.*, Art. XX, p. 13.

<sup>29</sup> *Ibid.*, Art. III-IX, pp. 4-7.

<sup>30</sup> *Ibid.*, Art. IX, p. 7.

<sup>31</sup> *Ibid.*, Art. X, p. 7.

<sup>32</sup> *Ibid.*, Art. XV, pp. 10-11.

<sup>33</sup> *Ibid.*, Art. XVIII, p. 12.

<sup>34</sup> *L'Union postale*, pp. 47-57. Tantesio and Blackfan were together again at Paris in 1878, but the United States had James N. Tyner, First Assistant of the Postmaster General, as second delegate.

<sup>35</sup> *Ibid.*, pp. 59-64. In 1880 the United States was represented by M. Brulatour, while Italy had three delegates: Capecelatro di Castelpagano, Director General of the Postal Service; Frigo, principal inspector of railroads; and F. Salivetto, attaché of one of the chiefs of section of the postal service.

or mischievous Italian sailor chose his own circuitous method. On June 1, 1877, the Italian Minister of Foreign Affairs was sent a strange little note. It read:

"R Frigate Italiana Garibaldi	"Lat 39° 58 N
"8 Ottobre 1874	" 8 31
"The finder of the ticket is requested to send it to the Secretary of the Italian Navy noting the point and the day in which it was found. Tomaso di Savoia."	

The note had been found in a bottle washed up on Gulf Beach, Matagorda Island, Texas, by one D. P. Kane. On May 2, 1877, Kane sent the paper to Cheyney R. Prouty, collector of customs at Indianola, Texas.<sup>36</sup> With due solemnity and proper form this little slip of paper travelled from Prouty to Evarts, from Evarts to Marsh and from Marsh to Melegari;<sup>37</sup> and probably, from the Foreign Office to the Italian naval minister, Benedetto Brin; to be filed away carefully in archives on either side of the Atlantic!

The years of improved communication between the United States and Italy were also the formative years of Italian emigration to the United States. Although the causes of the great exodus from the kingdom were manifold and deep, the movement was, at first glance, paradoxical. The Anglo-American mind had enclouded the history of nineteenth century Italy with so much Risorgimento romance that the exploits of Garibaldi and the unification of Italy had already become legendary types of the manifestation of the "will of the people." The concept of the George Washington of Italy freeing his country from foreign rule and simultaneously acting as the Great Emancipator completely caught the fancy of the average American and the generality of American statesmen. Once unity was achieved and Italy a reality, it was incongruous to see a mass movement away from the land of accomplished hope.

A very plausible explanation might have been found in the

<sup>36</sup> Enclosure to Kane to Prouty, May 2, 1877, Saluria, included in Evarts to Marsh, no. 578, May 12, 1877, *Inst. GPM*, vol. 6.

<sup>37</sup> Prouty to Evarts, May 3, 1877, Indianola, enclosure to *ibid*.

fact that the Risorgimento was the well-advertised work of an élite who knew how to use the volatile Italian temperament for its own ends.<sup>38</sup> Garibaldi's troupe was either a special corps or a motley crew, or a combination of the two elements. It was never representative of the countryside aroused. To those ordinary Italians who cared at all about the Risorgimento, the movement was but promise of better days. *La patria* was still the local vicinity. A new Italy had not been created, but rather an enlarged Piedmont, at odds with the Church, frowning on particularism, taxing more heavily than even the former "despots," politically unstable, and impotent before the economic malaise. All of these factors, when joined with the constant tempting promise of cheap transportation to a land of plenty, added up to one conclusion—emigration.

Before 1860, emigration from Italy was almost unnoticed. During the following decades the movement could not be so ignored.<sup>39</sup> The number of permanent emigrants between 1862 and 1871 was approximately 16,000; between 1872 and 1881, 362,000. At least twice as many left Italy temporarily and then returned.<sup>40</sup> Putting all figures in round numbers, in 1860 there were 10,000 Italians in the United States. In the next ten years, 12,000 disembarked, but subtracting those who died or left again, there were 17,000 in the United States in 1870. During the 1870's, 55,000 came, and in 1880 there were still 44,000 Italians in the United States.<sup>41</sup> By this date, too, the main characteristics of the emigration were apparent. It was largely from South Italy, whereas the pre-1860 Italians in the United States had been predominantly from the North. It was increasingly disposed to remain in the United States only long enough to gather a moderate sum of earnings, and then it reversed its way to Europe. It had taken up a certain range of vocations, largely of a humble, menial sort. It had developed the institution of the *padrone*, unknown among previous

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<sup>38</sup> This is the tenor of a keen, analytic study by Margot Hentze, *Pre-Fascist Italy. The Rise and Fall of the Parliamentary Regime* (London: George Allen and Unwin, Ltd. [1939], especially pp. 1-45.

<sup>39</sup> Foerster, *op. cit.*, p. 5.

<sup>40</sup> *Ibid.*, p. 42.

<sup>41</sup> *Ibid.*, p. 323.

immigrant peoples. The *padrone* was usually an English-speaking Italian boss who acted as middleman between the immigrant and his new world. Often the newcomer's whole existence was dependent upon the *padrone* who knew his way about and was only too glad to offer his services—for a price.<sup>42</sup> Even before the great flood of Italian immigrants poured into the country during the late nineteenth and the early twentieth centuries, the Italian tended to become a type. He was a fruit-vendor, or a street-cleaner, or a barber, or an organ-grinder with a monkey. He was poor and often unclean. He had a strange, even humorous, accent. What religion he retained, expressed itself in ways unfamiliar even to Catholics.<sup>43</sup> The later nineteenth century Italian in America was not another William Paca, or Vincenzo Botta, or Constantino Brumidi.<sup>44</sup> He had neither the culture and polish of his earlier-arriving compatriots, nor the dash and vigor of a Garibaldi. He was unexcitingly, somewhat repulsively, different, and he needed help. He needed a Mother Francis Cabrini.<sup>45</sup>

Only a few years after the end of the Civil War, the United States government took active cognizance of the immigrant problem. The State Department noted that during the year 1868, there arrived at New York 180,449 steerage passengers in steamships, and 31,953 in sailing vessels. The movement of this great number of persons had been made without any uniform regulations for their health and comfort. True, some of the maritime powers

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<sup>42</sup> *Ibid.*, pp. 326-327.

<sup>43</sup> Cf. Brochure of the Reverend P. Capitani, *La questione italiana negli Stati Uniti d'America* (Cleveland: M. E. McCabe, Printer, 1891). Father Capitani emphasized the need for Italian-speaking priests to instruct and minister to the immigrants.

<sup>44</sup> Cf. Victor L. Anfuso, "American Forefathers of Italian Origin," *Congressional Record*, Appendix, May 5, 1955, pp. 3068-3069. Paca was a Maryland statesman; Botta, a noted author; Brumidi, artist who did the murals in the Capitol.

<sup>45</sup> Two books which point up the sad plight of the Italian immigrant are: Giovanni Preziosi, *Gli Italiani negli Stati Uniti del Nord* (Milano: Libreria Editrice Milanese, 1909); and Luigi Villari, *Gli Stati Uniti d'America e l'Emigrazione italiana* (Milano: Fratelli Treves, Editori, 1912). The first half of the latter book, however, is devoted to a description of the United States in general.

whose tonnage was engaged in passenger service had made pertinent local laws, but these were varied, inadequate, and sometimes conflicting. The limited protection afforded to emigrants by the existing laws had been further diminished by the lack of a competent tribunal to adjudicate complaints. The Commissioners of Emigration reported that during 1868 all the immigrants arriving at the port of New York had come in foreign vessels. Of the 532 arrivals, 326 had been British, 190 North German, 8 had been Belgian, 6 French, and 2 Italian. The courts of the United States were powerless to punish offences committed in foreign ships upon the high seas, and it was practically impossible to secure the evidence necessary for conviction in Europe. The Commissioners of Emigration had long felt unable to prevent all the injuries which they knew existed. A solution unfolded finally when North Germany expressed its willingness to submit its vessels to adjudication within the United States for offences committed upon the high seas, provided this were done in accordance with a treaty mutually agreeable. Several drafts of a proposed convention were drawn up. The leading features were first of all, uniform regulations as to the parts of the vessel to be devoted to the use of emigrant passengers, and as to the quality and quantity of food, the medical treatment of the sick, ventilation, and privacy; and secondly, the establishment of international tribunals at the ports of departure and arrival with power to enforce the regulations by summary process. Only by assimilating the laws of different nationalities on these points could that uniformity be attained which would effectively protect the emigrant. The United States and North Germany had been seeking such agreement, but what was needed was an international code. The President wanted to initiate simultaneous negotiations at Washington with all the powers engaged in the transportation of emigrants. He wished to secure the like procedure of Great Britain, France, Italy, North Germany, Belgium, Denmark, Sweden, and Holland, who had the bulk of the passenger trade. For this reason identical instructions were issued to the ministers of the United States at the court of each of those powers. George Perkins Marsh was, accordingly, told to bring the matter to the attention of the cabinet of Italy, and propose that the Italian minister at Washington be authorized

to enter into negotiations with the United States and with representatives at Washington of those other powers disposed to join. The end in view was a series of conventions to establish regulations for the transportation of emigrants from Europe to the United States, and to set up tribunals empowered to enforce the new regulations. Marsh was to use his best endeavors to secure the compliance of Italy with this proposition.<sup>46</sup>

In acknowledging these instructions, Marsh observed that the number of Italian emigrants to the United States was as yet comparatively small and there had not been much complaint, so far as he knew, of ill-treatment from the officers or crews of the vessels. On the other hand, the emigration from Italy to some of the South American countries was large, and the opening of new facilities of travel between the Atlantic coast and California would probably increase the number of emigrants to the United States. There had been many abuses in the transportation of passengers to South America and the Italian government would undoubtedly enter into the proposed negotiation, especially if it included a representation of South American governments.<sup>47</sup>

On December 6, 1869, the Italian Government (that of Menabrea) replied favorably to the proposal and expressed its willingness to empower its representative in Washington to negotiate. Within ten days the Foreign Office acknowledged the receipt of a draft convention, but in the same short time, a new cabinet had been formed. On December 28, 1869, Visconti-Venosta sent word that the draft would be attentively studied.<sup>48</sup> That was the end of the convention, as far as Italy was concerned. Neither was it consummated with the other powers.

Unfavorable as the conditions of passage might be, the Italians came to America in ever-increasing numbers. On December 10, 1872, a Committee of the Commissioners of Emigration at New York addressed a complaint to the State Department about the

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<sup>46</sup> J. C. Bancroft Davis to Marsh, no. 223, September 28, 1869, *Inst. It.*, vol. 1.

<sup>47</sup> Marsh to Fish, no. 264, October 13, 1869, Florence, *ID*, vol. 12.

<sup>48</sup> Fish to Colobiano, November 27, 1869, *To It.*, vol. 7. Marsh to Fish, no. 270, December 15, 1869; no. 271, December 16, 1869; no. 272, December 28, 1869, Florence, *ID*, vol. 12.

large number of immigrants recently landed from Italy, most of whom were so destitute that they would surely become a burden to the city. These poor people had been induced to come to this country by extravagant promises of certain agents in Italy as to the demand for and the wages of labor here. This might have been correct in certain seasons, but not in winter. It was especially cruel if the victims, such as these, were not accustomed to the rigors of a northern climate. Consequently, Marsh was told to do anything which he thought proper to prevent an aggravation of the situation. A brief warning published in the chief maritime cities of Italy would probably be sufficient for the purpose.<sup>49</sup>

Perhaps these instructions were impelled by the fact that on the very day of their despatch, December 16, 1872, the Italian consul-general in New York had published in the *Herald*, the *Tribune*, and the *Evening Post* an extensive article on the current "persistent misrepresentations attending the Italian emigration." Merely to suppose, he wrote, that the government of the King of Italy looked favorably or even indifferently on this exodus, was not to know, or to ignore, the actual state of Italy and its vital interests. The agriculture of the southern provinces was suffering heavily from the dearth of laborers resulting from the large emigration, especially for South America. The Italian press had characterized the mass egress as a scourge, and had called upon the public for united efforts to prevent it. Anyone who assumed that the government could and ought to interfere, seemed to be unaware that Italy was a free country, and that the right to change domicile was as sacred there as in the United States. All that the Italian government could do was to require the emigrants to comply with certain conditions before granting them a passport. Recently, statements had been made that the arrival of a number of Italians on board the *Italy* and the *Queen* had been "attended by continual fights and stabbing affrays among themselves." The consul-general had taken the trouble to inquire into the facts and had received answers from both Mr. F. W. J. Hurst, manager of the National Steamship Company, who vouched for the conduct on the *Italy* and from Captain C. H. Andrews of the *Queen*.

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<sup>49</sup> Fish to Marsh, no. 363, December 16, 1872, Washington, *Inst. It.*, vol. 1.



The consul-general himself testified to the sincerity, industry, and frugality of his fellowmen already in the country. Their main ambition seemed to be to earn enough to be able to send money back home—as he knew from personal experience in forwarding their money-orders through the consular office. Finally, if the Italian type of immigrant was not wanted in the United States, let the United States legation in Rome publish in the Italian papers a notice warning those prospective comers against the hardships to which they would be exposed. If this course should not be feasible, let the United States send back to Italy the 1,500 recent arrivals. No one would feel more deeply grateful than the government and people of Italy.<sup>50</sup>

In Italy, not only did Marsh publish the suggested warning,<sup>51</sup> but he sent a notification to Visconti-Venosta on the same topic.<sup>52</sup> The result was a stern government circular cautioning against subtle propaganda and issuing specific regulations to the prefects and sub-prefects who were charged with the public safety.<sup>53</sup> The problem continued to plague both governments, however, to the end of Marsh's career in Italy and far beyond. In 1874 efforts were made to prevent the traffic in pauper immigrant children who were being used as professional vagrant beggars.<sup>54</sup> Congress experimented the next year with an "act to prohibit the immigration into the United States of certain objectionable classes of persons."<sup>55</sup> In 1879 an attempt was made to prevent the further

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<sup>50</sup> Statement of Ferdinand De Luca, consul-general, in a detached enclosure in *ID*, vol. 14.

<sup>51</sup> The warning was dated January 7, 1873. It was sent to the consuls at Naples, Palermo, and Genoa for publication in the leading journals there. Marsh also put it in the *Gazzetta Ufficiale* and the *Opinione* at Rome and the *Perseveranza* at Milan. These, Marsh said, were the only newspapers in Italy that had more than a local circulation. The warning is an enclosure to Marsh to Fish, no. 434, January 9, 1873, Rome, *ID*, vol. 14.

<sup>52</sup> Marsh to Visconti-Venosta, January 7, 1873, Rome, enclosure to *ibid*.

<sup>53</sup> Marsh to Fish, no. 436, January 22, 1873, Rome, *ID*, vol. 14.

<sup>54</sup> Corti to Fish, April 27, 1874, Washington, *From It.*, vol. 6; Fish to Corti, May 4, 1874, Washington, *To It.*, vol. 7.

<sup>55</sup> Marsh was instructed to bring this act of March 3, 1875, to the attention of the Italian Government. Fish to Marsh, no. 471, April 7, 1875, *Inst. GPM*, vol. 5.

immigration of Mormons, although Marsh remonstrated that this latter disapproved type hardly existed in Italy.<sup>56</sup> Other objectionable classifications of people there might be, but no power on earth could effectively prevent their embarking for foreign lands.

Worried as the American government was about the quality of Italian immigrants and their fate in the United States, by far the bulk of diplomatic correspondence on the subject centered about the returned immigrant who had stayed in the United States long enough to acquire citizenship and then had eventually recrossed to his native land. The difficulty arose from the fact that naturalization in America did not absolve the Italian from his obligations to Italy. On his return to the peninsula, he was subject to military service, to taxation, and to unpopular marriage laws just as though he had never been out of the country. To prevent a multiplication of claims cases, Marsh was empowered on June 3, 1868, to negotiate and conclude a naturalization treaty with Italy.<sup>57</sup> The American envoy anticipated difficulty not only about adopting particular stipulations, but in inducing the Italian government to enter into any treaty at all on the subject.<sup>58</sup> Marsh was instructed to use the treaty of naturalization recently discussed with Bavaria as a starting-point for negotiation.<sup>59</sup> The provision that naturalization should release an emigrant from his liability to conscription in Italy was bound to prove a stumbling-block. On the other hand, perhaps if effective measures could be taken in the United States to prevent the unfair acquisition of American citizenship, some of the objections of the Italian government would be automatically removed. Marsh felt that most Italians who resided in foreign countries always retained the *animus revertendi*, and their naturalization was, in many cases, procured with a fraudulent intent.<sup>60</sup> In his reply, Seward

<sup>56</sup> Evarts to Marsh, no. 686, August 9, 1879, Washington, *Inst. GPM*, vol. 7; Wurts to Evarts, no. 850, September 14, 1875, Rome, *ID*, vol. 17.

<sup>57</sup> Johnson to Marsh, Washington, *Inst. GPM*, vol. 2.

<sup>58</sup> Marsh to Seward, no. 211, June 16, 1868, no. 212, June 22, 1868, Florence, *ID*, vol. 12.

<sup>59</sup> Seward to Marsh, no. 201, confidential, July 16, 1868, Washington, *Inst. It.*, vol. 1.

<sup>60</sup> Marsh to Seward, no. 215, confidential, June 26, 1868, Florence, *ID*, vol. 12.

agreed that naturalization might be abused, but the basic problem of the United States *vis-a-vis* Italy was a matter of principle: "the right of a man in any country who is neither convicted nor accused of crime, to change his domicile and allegiance with a view to the free exercise of his own faculties and the pursuit of happiness in his own lawful way." Certainly such a liberal government as Italy would not be behind a German state in recognizing this principle.<sup>61</sup>

In November, 1868, Menabrea answered Marsh's proposition. The Italian government expressed its anxiety about conscription, about various complications arising between the treaty and the Italian penal code with reference to prosecution for crimes committed abroad, about acquisition and loss of Italian citizenship according to the Italian Constitution, and other difficulties.<sup>62</sup> Marsh sent to the State Department, in cipher, the opinion that Menabrea was merely using an Italian sales-technique, haggling for terms. Apprehension of failure in an attempt to present to the Italian Parliament treaty terms that violated the Constitution or the penal code was, he said, more or less of a pose. In reality, Parliament was almost always dominated by the king and the ministry. As to Menabrea's contention that the king alone could not handle the conscription question, because it was to be "regulated by law," Marsh was not so sure that the statement was absolutely correct.<sup>63</sup> At this juncture, Marsh was notified by the State Department that he should discontinue negotiations for the treaty and that Seward would try to come to terms with the Italian Minister at Washington.<sup>64</sup> This was an election year, however, and before the Secretary had completed his plans, the Grant administration came to power. The project of a naturalization

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<sup>61</sup> Seward to Marsh, no. 201, confidential, July 16, 1868, Washington, *Inst. It.*, vol. 1. Seward repeated this expectation in no. 207 to Marsh, October 28, 1868, *Inst. It.*, vol. 1.

<sup>62</sup> Marsh to Seward, no. 234, November 11, 1868; no. 235, November 17, 1868, Florence, *ID*, vol. 12. The latter despatch enclosed Menabrea's note.

<sup>63</sup> Marsh to Seward, no. 236, November 24, 1868, Florence, *ID*, vol. 12.

<sup>64</sup> Telegram, Seward to Marsh, December 14, 1868, Washington, *Inst. It.*, vol. 1.

treaty was never revived.<sup>65</sup> And the results proved as troublesome as those of the unconsummated treaty for the protection of steerage passengers.

The ensuing years brought Marsh a congeries of problems, most of which could have been prevented if the treaty had been carried through. Case after case came up of visiting Americans or of American students of Italian extraction forcibly inducted into the Italian armed forces. Private conversations or official protests were usually unavailing to obtain their release. In 1878 the amnesty that followed the accession of Humbert I afforded an opportunity to free some of the hapless recruits, but the more effective means were clandestine, like getting the soldier a furlough and then spiriting him out of the country.<sup>66</sup> The maze of legal intricacies involved in the marriage of American citizens in Italy likewise remained an unsolved problem,<sup>67</sup> as did that of the quartering of troops in the homes of American citizens.<sup>68</sup> A further thorny question was that of the taxation of American citizens. This problem will be mentioned again when we consider the Italo-American commercial treaty. The numerous claims of American citizens on the points just mentioned, were not at all matched by similar complaints from the Italian legation to the State Department. In all the years from the end of the Civil War to 1882

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<sup>65</sup> Marsh hurriedly transmitted to Menabrea the desirability of bringing this treaty matter to a close under the current administration. He urged Menabrea to put up counter-propositions rather than just objections. (Marsh to Seward, no. 237, December 15, 1868, Florence, *ID*, vol. 12.) Menabrea's reply of December 19, 1868, made no substantial addition to the solution of the problem. (Marsh to Seward, no. 238, December 22, 1868, *ID*, vol. 12.)

<sup>66</sup> Three illustrative cases were those of John Peter Sbarbaro, who had been sent to Italy for his education (cf. Marsh despatches, 1871, *ID*, vol. 13); of Alexander Biagiotti, a returned immigrant (cf. Marsh despatches, October, 1872, *ID*, vol. 14); and of Felice Largomessino (name variously spelled), another returned immigrant. This last case represented the first unquestionably *bona fide* United States citizen compelled to serve in the Italian army. Correspondence on his plight was exchanged for two years (cf. Marsh despatches, vols. 16-17, 1877-1879).

<sup>67</sup> References to this difficulty are sprinkled through the Marsh papers, especially those of 1873-1881, vols. 14-18.

<sup>68</sup> Cf. Marsh to Evarts, no. 705, October 2, 1877, Rome, *ID*, vol. 16; Evarts to Marsh, no. 596, October 24, 1877, Washington, *Inst. GPM*, vol. 6.

only three complaints involving questions of citizenship were sent from the legation to the Department. In one of these a group of 150 Italians had been abused for letting themselves be employed as scabs during a strike at the Armstrong mines in Buena Vista, Pennsylvania, but Corti later withdrew his protest in this case.<sup>69</sup> In another, 500 Italian laborers in Denver had not been paid their wages and the Italian minister feared they would resort to violence if something were not quickly done.<sup>70</sup> In the third, some Italian investors had been swindled out of their savings by one Count Telfener who sold spurious shares in a railroad and in non-existent public lands in Texas.<sup>71</sup> It is to be noted that these complaints represent private grievances experienced as a result of personal prejudice, or simply the gullibility of the Italians themselves. Further, appeal is made *to* the United States government, rather than *against* it.

Two vital Italo-American treaties, then, came to a dead-end. The treaty for the protection of emigrants was lost in an Italian shuffle of ministries; the naturalization treaty was never followed through because of a change of administration in the United States.

Politics held up the Italo-American commercial treaty, also, but this time the procrastination was not permanent. Pre-Risorgimento Italy had consisted of seven states economically segregated as well as politically independent. There had been little commercial intercourse among them. There were no uniform standards of weights and measures, and no common coinage and currency. Great variations existed in the sections of the country with their seven

<sup>69</sup> Corti to Fish, December 17, 1874, Washington, *From It.*, vol. 6; Fish to Corti, December 21, 1874, Washington, *To It.*, vol. 7.

<sup>70</sup> Fava to Frelinghuysen, May 5, 1882, *From It.*, vol. 9; Frelinghuysen to Fava, May 9, 1882, *To It.*, vol. 7.

<sup>71</sup> Fava to J. C. Bancroft Davis, received, April 1, 1882, *From It.*, vol. 9; Frelinghuysen to Fava, May 2, 1882, *To It.*, vol. 7, enclosure: O. M. Roberts (Governor of Texas) to Hon. S. J. Kirkwood, Austin, April 19, 1882. Original of the governor's letter is an enclosure to William Teller to Secretary of State, April 24, 1882, Washington, *Misc. Let., April, 1882, Part 2*.

different methods of collecting taxes.<sup>72</sup> The United States had had commercial treaties with Sardinia and with the kingdom of the Two Sicilies.<sup>73</sup> After 1861, the Italian government considered all treaties made with Sardinia as binding on the entire new kingdom, and any treaties made with the other Italian states as null and void. Even before the end of the Civil War, the United States was looking forward to a revived trade with the Sicilian ports and expressed concern about future rights and responsibilities in south Italy. It was an opportune time for a new commercial treaty with Italy.<sup>74</sup>

On June 15, 1864, George Perkins Marsh was given full power and authority to negotiate, conclude, and sign a treaty of commerce and navigation with a representative of the King of Italy furnished with a like power.<sup>75</sup> Marsh was also to draw up the original *projet* of the convention.<sup>76</sup> Marsh did not consider it practicable to call the attention of the Minister of Foreign affairs on the subject of the treaty until after the adjournment of Parliament. He used the interval to ask the opinion of the Department about the *cabotage* or coasting trade, inasmuch as Franco-Italian commercial treaties granted this privilege with regard to the Mediterranean ports, but did not allow Italian ships to trade between French Mediterranean and French Atlantic ports.<sup>77</sup> By the time the State Department had sought the opinion of the Department of the Treasury and that office had replied that it was not judged advisable to depart from the present policy of reserving the coasting trade to United States citizens, and then this decision had been received by Marsh,<sup>78</sup> the Minghetti cabinet

<sup>72</sup> Hentze, *op. cit.*, p. 13.

<sup>73</sup> William M. Malloy, ed., *Treaties, Conventions, International Acts, Protocols and Agreements between the United States and Other Powers* (Washington: Government Printing Office, 1910), II. The treaty of 1838 with Sardinia may be found on pp. 1603-1609; the navigation convention of 1855 with the Two Sicilies, on pp. 1812-1813.

<sup>74</sup> Marsh to Seward, no number, May 6, 1864, Turin, *ID*, vol. 11.

<sup>75</sup> Appointment by Lincoln, enclosure to Seward to Marsh, no. 102, June 15, 1864, Washington, *Inst. It.*, vol. 1.

<sup>76</sup> *Ibid.*

<sup>77</sup> Marsh to Seward, no. 98, July 14, 1864, Turin, *ID*, vol. 11.

<sup>78</sup> Fessenden to Seward, August 29, 1864, *Inst. GPM*, vol. 1; Seward to Marsh, no. 110, September 3, 1864, Washington, *Inst. It.*, vol. 1.

had been superseded by LaMarmora's and Italy was caught up in the problems of the September Convention.<sup>79</sup> The State Department felt that it was unnecessary to instruct the American envoy about other details of the proposed treaty, and had optimistically added: "Your known sagacity and your familiarity with the subject committed to your care, afford a sufficient guaranty that the conduct of the negotiation, upon other points may safely be left to your discretion."<sup>80</sup> But there was little that Marsh could do while the government offices—and his own, too—were distracted by the bothersome business of moving from Turin to Florence.

Not until June, 1865 was Marsh able to leave a draft of the proposed treaty at the Foreign Office.<sup>81</sup> And there it lay for two years. Possibly, the Italian government felt that there was not enough commerce to talk about. Communications were scanty and bad; roads were insufficient and often unpassable; there were only a few kilometers of completed railroad (in spite of all the dreams of the wonders that were to have been effected by them); harbors were undeveloped and in urgent need of repair; industry was embryonic; capital and know-how were lacking. National bankruptcy was a constant threat. The combination of the budgets of the seven states added up to only a little more than half of the government expenditure. Between 1860 and 1867—eight years—the government had spent the income of fourteen. By 1864, when Marsh had been empowered to make the treaty, the interest on the public debt was one-fourth the national income.<sup>82</sup> In that same year, even with the war going on, Congress passed a law permitting the importation of contract labor, to help man American industry. After the war, American business grew to a thing of phenomenon. If the scars of the civil conflict lay deep and long in the hearts and land of the south, there was compensation, for international purposes, in the verve and dynamic industry of the north. The government at Washington was more eager than ever to encourage the development and spread of American business.

<sup>79</sup> Marsh to Seward, no. 124, June 29, 1865, Florence, *ID*, vol. 11.

<sup>80</sup> Seward to Marsh, no. 110, September 3, 1864, Washington, *Inst. It.*, vol. 1.

<sup>81</sup> Marsh to Seward, no. 24, June 29, 1865, Florence, *ID*, vol. 11.

<sup>82</sup> Hentze, *op. cit.*, pp. 27-44.

The Italian government, on the other hand, had to cope with the Seven Weeks' War, then with the integration of Venetia into the Kingdom, and—not to be ignored—with the ominous mumblings of the Garibaldians. These were problems enough to occupy the officials in Florence, and probably with a sense of relief the draft of the commerce treaty with the United States was taken from its two years rest and entrusted to Marcello Cerruti, capable Italian minister in Washington.<sup>83</sup> The transfer of the negotiations to the United States was perfectly agreeable to the State Department, and Seward and Cerruti soon began a lengthy correspondence on the subject.<sup>84</sup>

The biggest obstacle in the way of a rapid conclusion of the negotiations was the question of "forced loans." In 1866, the Italian government had decreed a national "loan" obligatory on foreigners as well as natives. The loan was collected on the basis of the existing tax lists, the sum assessed to each tax district being fixed by a table which accompanied the decree. The enforcement of payment was left to the local authorities as in the case of ordinary taxes. In brief, this exaction differed from other taxes only in the fact that it was to be in time reimbursable to the contributors. In actual practice the Italian government had been very indulgent about collecting from Americans, just as it had been in regard to other taxes. Once these points were clear to Seward, the treaty talks gathered momentum.<sup>85</sup> In the first part of 1868, the draft was ready to be sent back to Florence for approval or correction. Again the document went to the foreign office only to be interred among a mass of more pressing affairs. Seward philosophized on the new delay. "Where the functions of Government are as they are in Italy and in the United States," he speculated, "and must be in every free country—distributed among many departments or agents, there is often a hazard of

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<sup>83</sup> Marsh to Seward, no. 182, July 12, 1867; no. 184, July 26, 1867, Florence, *ID*, vol. 11.

<sup>84</sup> Seward to Marsh, no. 170, August 15, 1867, Washington, *Inst. It.*, vol. 1.

<sup>85</sup> *To It.*, and *From It.*, November, 1867-February, 1868. Explanation of the "forced loan" may be found in Marsh to Seward, no. 200, January 20, 1868, Florence, *ID*, vol. 12; and Seward's expression of satisfaction in Seward to Marsh, no. 187, February 26, 1868, *Inst. It.*, vol. 1.



delay resulting from the practice of extreme accuracy and caution on the part of each of the departments and agents where combined action is necessary." This was why a greater number of really good treaties were lost than improvident ones made. At least that was the impression the Secretary said he derived "from what seems to be the exercise of a very special technicality in the diplomacy of Italy."<sup>86</sup>

In retrospect, the problem would appear less a question of "a very special technicality," than a very urgent need to reimburse the royal treasury. On May 21, 1868, Parliament had passed the bill imposing the *macinato*, or grist tax, "*un fatto non solo di saggezza, ma anche di coraggio del Parlamento italiano*," Cilibrizzi was to say of it much later.<sup>87</sup> At the time, however, Crispi voiced the opinion not only of the Left, but also of the American minister in Florence, when he called it a progressive tax—not in proportion to wealth, but in proportion to misery.<sup>88</sup> Marsh sent the treaty of commerce to the Italian government just when the ministers were preoccupied with vital financial measures. They had imposed a land tax, an income tax, and a tax on manufactured goods.<sup>89</sup> They were talking about leasing out for a generous sum the royal tobacco monopoly.<sup>90</sup> The discussions went on and on, until the treaty of commerce and navigation was lost in the same administrative changes as the treaties for the protection of emigrants and of naturalization. Unlike the latter, Marsh's draft was eventually revived.

In June, 1870, Count Corti, who had succeeded Cerruti at Washington, reminded Secretary Hamilton Fish that the commercial treaty was still pending. Marsh was directed to resume negotiations for the treaty. He was told to try to secure some guarantee against "forced loans" but not to let any scrupulosity on the point hold up the treaty.<sup>91</sup> This difficulty did arise, and was

<sup>86</sup> Seward to Marsh, no. 200 confidential, July 15, 1868, *Inst. It.*, vol. 1.

<sup>87</sup> Cilibrizzi, *op. cit.*, I, 549.

<sup>88</sup> *Ibid.*, I, 545.

<sup>89</sup> Hentze, *op. cit.*, p. 44.

<sup>90</sup> Cilibrizzi, *op. cit.*, I, 550-551.

<sup>91</sup> Fish to Marsh, no. 242, June 27, 1870, *Inst. It.*, vol. 1.

solved by avoiding the subject altogether in the treaty.<sup>92</sup> The greatest hindrances to the completion of the business were the Roman Question and the transferral of the governmental offices from Florence to Rome.<sup>93</sup> Not until November 18, 1871, were the ratifications completed on both sides of the Atlantic.<sup>94</sup> The negotiations had dragged along for seven years.

The Italo-American treaty of 1871 guaranteed mutual freedom of commerce and navigation.<sup>95</sup> The citizens of each were to have the right to travel and carry on trade in the states and territories of the other<sup>96</sup> and were to receive the same rights and privileges as natives, as well as constant protection and security of person and property. They were to be exempt from compulsory military service.<sup>97</sup> Neither Italians nor Americans were to be liable to embargo or detention of vessels and cargoes without indemnification.<sup>98</sup> No discriminatory duties were to be imposed on one country by the other.<sup>99</sup> Whatever might be imported, exported, re-exported to or from one country in its own vessels might also be so entered or shipped in the vessels of the other country with the same financial advantages to the treaty partner's ships as to its own.<sup>100</sup> Although each country reserved coastwise navigation to itself, the vessel of its partner might enter one port and then proceed to another to discharge part of the original cargo.<sup>101</sup> The partners were to give reciprocal aid in case of ships in distress.<sup>102</sup> Each country's ships might complete its crew in the ports of the other.<sup>103</sup> Each country was to have most-favored-nation status in

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<sup>92</sup> Cf. Marsh-Fish correspondence, September, 1870-February, 1871, in *ID*, vol. 13 and *Inst. It.*, vol. 1. The instruction that the stipulation about forced loans might be omitted was given in a telegram from Fish to Marsh, February 7, 1871, *Inst. It.*, vol. 1.

<sup>93</sup> Marsh to Fish, no. 307, October 11, 1870, *ID*, vol. 13.

<sup>94</sup> Malloy, *op. cit.*, I, p. 969. The treaty is given on pp. 969-977.

<sup>95</sup> *Ibid.*, p. 970, art. I.

<sup>96</sup> *Ibid.*, art. II.

<sup>97</sup> *Ibid.*, art. III.

<sup>98</sup> *Ibid.*, pp. 970-971, art. IV.

<sup>99</sup> *Ibid.*, p. 971, art. VI.

<sup>100</sup> *Ibid.*, art. V.

<sup>101</sup> *Ibid.*, art. VII.

<sup>102</sup> *Ibid.*, p. 972, art. IX.

<sup>103</sup> *Ibid.*, art. X.

regard to the other.<sup>104</sup> These were some of the main provisions of the Treaty of Commerce and Navigation drawn up, negotiated, and signed by George Perkins Marsh and operative until World War II.

Difficult as it had been to bring the treaty of commerce into being, it was nearly as much a problem to drum up a thriving trade on which it would be effective. When, in 1877, all American ministers abroad were exhorted to secure information on trade and to devote themselves to efforts by which commerce might be fostered,<sup>105</sup> Marsh wrote back about the obstacles which he could readily see. Not only were American tariffs a hindrance but the two countries were not complementary. There was a general similarity of climate, mineral resources, and vegetable production. The financial systems of the two countries offered great obstacles to extension of commerce between them, while all branches of Italian productive industry were burdened by oppressive taxation. Marsh suggested an "international commission of inquiry," but this proposal was not acted upon.<sup>106</sup>

Perhaps Marsh was too pessimistic. In 1880 the American consul-general at Rome, Eugene Schuyler, sent a particularly full commercial report of the year, 1879. The facts of this report constituted a fairly good summary of statements scattered at random in the many volumes of diplomatic reports. In 1878 the chief imports from the United States and Canada into Italy (customs reports were drawn up in such a way that Schuyler said it was impossible to separate the imports from the two countries), were petroleum, tobacco, cotton, Indian corn, and wheat. Exports from Italy to the United States were chiefly: olive oil, argols, tartar, rags, marble, citrus fruits, sulphur, nuts, vegetable tanning extracts, and dyestuffs. Nearly all the importations to Italy from the United States were raw materials. It was believed that if somewhat more attention were given by American manufacturers to the Italian market, a considerable increase of imports from America might be expected. Frequently manufacturers took no

<sup>104</sup> *Ibid.*, p. 976, art. XXIV.

<sup>105</sup> Evarts to Marsh, separate, August 7, 1877, Washington, *Inst. GPM*, vol. 6.

<sup>106</sup> Marsh to Evarts, no. 720, December 17, 1877, Rome, *ID*, vol. 17.

pains to have circulars translated into Italian, but distributed them in English, which meant that they were unread and unheeded. For many articles, it was necessary to consider Italian habits and Italian tastes. This was especially true with regard to cloths and cotton goods. Certain colors and certain patterns were preferred in Italy, and it was customary to use goods and widths different from those generally made by American manufacturers. It was hoped that the recent establishment of lines of steamers running directly to ports of the United States would assist in increasing the American trade. The fruit trade from Italy had become so important that in addition to the English steamers which took fruit from Sicily and South Italy to America, but which usually returned by way of England, the Florio Company had now started a shipping line which ran with tolerable regularity from Naples and Palermo directly to New York and back. As this company would naturally desire to obtain a homeward cargo, it could be made a powerful agent for increasing the imports from America. Early in 1879 the government prohibited the importation from the United States into the ports of Italy of hogs, pork, or pork-products. This measure was taken because at Milan and at Naples American pork had been discovered infected with *trichinae-spiralis*. A little later, this restriction was extended to all foreign countries. Many of the larger towns and cities followed with local regulations providing that pork and its various preparations of whatever origin, should be subjected to microscopic examination before entry within their respective municipal limits. As a result, imports from abroad entirely ceased, while the trade and consumption in the larger centers of population became extremely limited.<sup>107</sup> The problem of the "alleged unhealthfulness of American pork" was brought up repeatedly in subsequent years in the diplomatic correspondence. In the 1861-1882 period, however, the few commercial problems brought to the attention of the Foreign Office and the State Department concerned works of art, tobacco, and oil.

Italy had the grievance with regard to works of art. It was

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<sup>107</sup> Schuyler to Hunter, no. 47, May 29, 1880, enclosing Commercial Report of 1879, dated February 28, 1880, *Consular Letters—Rome*, vol. 9.

mainly a problem of classification for tariff rates. Briefly, the products of American artists were duty-free; those of Italians were subject to 10 per cent *ad valorem*, if originals; 50 per cent, if copies. In this last instance the *objets d'art* were grouped with "manufactures." Italy maintained that the discrimination was contrary to the letter and spirit of the treaty of 1871.<sup>108</sup> Evarts explained at length to the Italian legation that encouragement to American students was not meant to be discrimination against Italians, but was simply treating American artists as if they had remained at home. The secretary admitted, though, that classifying certain kinds of work produced by Italian sculptors as "manufactures" of "marble" subjecting them to 50 per cent *ad valorem* was perhaps not a correct interpretation of the tariff law. He promised that as soon as possible the matter would be taken up in conference with the Treasury Department, and if judged expedient, some change in regulation would be recommended to Congress. This answer did not satisfy the Italian government and remonstrances continued to barrage the State Department, while the annoying statute remained operative.<sup>109</sup>

Italian control of the monopoly on tobacco led to some American embarrassment. Once an unfortunate marine was fined for having "smuggled" into Leghorn 400 grams of tobacco. An amnesty saved him, although the fine was only \$5.08.<sup>110</sup> At another time, a ship's entire stores of tobacco and salt were put under lock and key by Italian port authorities as a precaution against smuggling, but this affair, in which Italy was in the wrong, led to no serious complications.<sup>111</sup>

Marsh watched with hawk-like vigilance the Italian policy with respect to duties on oil. Petroleum was his main concern,<sup>112</sup> but

<sup>108</sup> Italy's complaint runs through the diplomatic correspondence, 1866-1882, but cf. particularly Camporeale to Evarts, May 20, 1880, and November 18, 1880, Washington, *From It.*, vols. 8-9.

<sup>109</sup> Evarts to Camporeale, December 27, 1880, *To It.*, vol. 7. Cf. Memorandum, January 20, 1881, *From It.*, vol. 9.

<sup>110</sup> Litta to Evarts, May 27, 1877, and July 21, 1877, Washington, *From It.*, vol. 7; Evarts to Litta, May 31, 1877, *To It.*, vol. 7.

<sup>111</sup> Hay to Marsh, no. 757, January 24, 1881, Washington, *Inst. GPM.* vol. 8.

<sup>112</sup> Cf. Marsh-Fish correspondence, June-September, 1871 in *ID*, vol. 13 and *Inst. It.*, vol. 1.

vegetable oils did not escape his eye. In 1880 the Italian parliament finally abolished the *macinato*, and then had to devise other expedients to substitute for the reduction in revenue. One of these was a new duty on imported cotton-seed oil. These were just the days, however, when Italy was sending forth the most vigorous protests against the tariff on artistic works. So Marsh suspected the Italian measure was retaliatory. Perhaps it was, at least in part. The Italian foreign office calmly said that the measure was protective only.<sup>113</sup>

Neither the commercial difficulties regarding works of art, nor those involving the tobacco monopoly, nor the question of a higher duty on oil imported into Italy assumed a major role in the foreign policy of either country. The topics merely consumed time and very much paper. Evidence of continued cooperation despite minor differences was the Trade-marks Convention smoothly accelerated through official channels in 1882.<sup>114</sup>

When such business as postal conventions, truncated negotiations, and quibbling over terms of a commercial treaty became dull and drab, the officials of the Department of State could always turn for a splash of color and sometimes of high adventure to a consular report, particularly to that of a post which functioned also as a legation. Consular relations with Italy were determined by articles XV-XVII of the Treaty of Commerce with Sardinia of 1838.<sup>115</sup> The clauses were inadequate, but it took a series of bizarre episodes to convince the Department of the fact.

During the Civil War, the greatest consular problem for the

<sup>113</sup> Evarts to Wurts, no. 737, September 9, 1880; no. 745, October 14, 1880, *Inst. GPM*, vol. 8. For the abolition of the *macinato*, cf. Cilibrizzi, *op. cit.*, II, 200-201.

<sup>114</sup> The proposition had been made by Italy in 1879 (Blanc to Evarts, June 24, 1879, *From It.*, vol. 8). In December, 1879 the United States asked to suspend negotiations briefly "until certain questions of interest with respect to legislation for the protection of trade-marks in this country are placed on a firmer footing than at present." (Evarts to Blanc, December 5, 1879, Washington, *To It.*, vol. 7.) When negotiations were taken up again in 1882 the matter was quickly despatched. Ratification did not take place until 1884. Cf. Malloy, *op. cit.*, I, 984-985.

<sup>115</sup> Malloy, *op. cit.*, II, 1607-1608.

United States with reference to Italy was to secure loyal representatives at strategic ports. Marsh was very zealous in making loyalty investigations of present and would-be incumbents and quite forthright in expressing his opinions.<sup>116</sup> His efforts were appreciated and heeded. The American envoy in Italy was also given other consular snarls to unravel. One case that must have interspersed his study of the Nordic languages and anxiety over Confederate sympathizers with many a chuckle, was that of the American consul in Tunis.

It all started with two windows and it nearly ended in local war. Amos Perry had been a school teacher for twenty-two years when he was sent to Tunis as American consul.<sup>117</sup> He liked punctilio and was used to being heeded. But he never had a student like the Italian consul who lived right next door. And there were other troubles besides. The consulate was dilapidated—glass broken and doors and shades unhinged.<sup>118</sup> One night a robber climbed over the walls and carried away Perry's uniform and "considerable other property." When Perry demanded compensation from the Bey for all these ills, he was politely rebuffed by the reminder that the rent was already \$869.40 overdue. His predecessor had left without paying his bill.<sup>119</sup> These things, unpleasant as they were, could be remedied. The window problem was insufferable, an encroachment on American rights, and impossible to resolve.

<sup>116</sup> Despatches to this effect may be found scattered throughout the papers of the early years of Marsh's incumbency. Cf. *ID*, vols. 10-11. Cf. *supra*, p. 3.

<sup>117</sup> Perry was graduated from Harvard College in 1837, then taught for over a score of years. While on a traveling tour in Europe he was appointed by Lincoln to the consular post at Tunis. In 1865 he accompanied the ambassador of the Bey to the United States bringing a portrait of the Bey and congratulations on the successful issue of the Civil War as well as letters of condolence on the death of Lincoln. After his consular career, Perry took an active part in the Rhode Island Historical Society and was a frequent contributor to various magazines. He died at New Haven, Connecticut, in 1899. Cf. "Amos Perry," *The National Cyclopaedia of American Biography*, II, 297; Perry to Seward, no. 1, July 5, 1862, *Consular Letters—Tunis*, vol. 9.

<sup>118</sup> Perry to Seward, no. 3, September 6, 1862, Tunis, *Consular Letters—Tunis*, vol. 9.

<sup>119</sup> Perry to Seward, no. 4, October 25, 1862, Tunis, in *ibid*.

Shortly after Perry's arrival in Tunis in July of 1862 the Italian consul built two large windows that opened directly into the Perry apartments. When protest failed, Perry obtained permission from the Bey to put up two brick screens on the American side. The Italian, to use Perry's phrase, "at once beat them down." Perry began a lengthy series of letters with the man next door, but to no avail. After reading American scoldings for six months, the Italian lost patience. Perry was sure his opponent was trying to draw him into a duel. Then it was that he wrote to the State Department and also to Marsh.<sup>120</sup> Marsh spoke privately to the authorities in Turin and the obnoxious Italian in Tunis was recalled. In the fall of 1864, the whole question was again detailed to the State Department.<sup>121</sup> Seward confessed to Marsh that the importance of the question could not be understood in Washington, and committed the whole affair to his discretion.<sup>122</sup> What Marsh learned must have made him wonder whether or not the Italian consul were really the "bully" that Perry called him.

The American consulate in Tunis had been built in the late eighteenth century in such a way that the front patio or entrance hall led directly into the consul's office, and large glass doors led from the office to a balcony in the rear. Patio, office, balcony were each behind the other. In the first decade of the nineteenth century the Italian consulate was built right behind the American quarters and flush with it, so that the front and one side of the balcony were shut off by the walls of the new structure. Later a private house was built with a wall up against the one remaining free side of the former balcony, now really a room with the sky as ceiling. Still, the American consul could open the big glass doors of his office and get some fresh air, no small advantage in a place like Tunis. To secure the like ventilation, the Italian legation had in the course of the years secured permission to open little windows on the one-time balcony. It was a small intrusion, but as long as the openings did not substantially invade the privacy of the American legation office, no objection was made.

<sup>120</sup> Perry to Seward, no. 8, February 21, 1863, Tunis, in *ibid.*

<sup>121</sup> Perry to Seward, no. 52, October 18, 1864, Tunis, in *ibid.*

<sup>122</sup> Seward to Marsh, no. 122, November 29, 1864; no. 138, November 14, 1865, *Inst. It.*, vol. 1.



About a week after Perry's arrival in Tunis, however, the little windows directly opposite the glass doors of the consul's office were greatly enlarged so that the former balcony was now common property. This fact caused the protest of 1863. Soon the new Italian consul asked to have a roof put over the balcony because the Italians had erected a little post office under it and when there was rain, the ceiling leaked. Perry refused point-blank. Unfortunately, he had to leave town for awhile. When he got back, a sky-light room had been erected over his balcony. Perry had to admit that the roof was an improvement, but it was the principle of the thing which irked him, and so a letter the size of a pamphlet, replete with a drawing of his apartment was despatched in peppered temper to the State Department. The Italian consul had even threatened to open a third window!<sup>123</sup>

The Tunisian municipal authorities agreed with Perry, but nothing beyond acquiescence resulted until Marsh stepped in. He demanded that the Italian government restore the brick wall that had been torn down in 1863. Nothing was done. Perry got the municipal authorities to issue a formal vindication of his rights, and that was the last the State Department heard for four months.<sup>124</sup> Finally, on March 31, 1866, Perry could triumphantly write, "I have great pleasure in reporting that the window question between the American and the Italian consulates is definitely settled. The Italian government has acceded to the demands of our government, walling up the windows and removing all cause for future misunderstanding." How all this was achieved was then outlined. "Besides many bitter discussions, there have been two actual conflicts of arms in this little courtyard." (No suggestion as to when the battles took place—during his incumbency or those of his predecessors—but one could surmise.) "This border question has imposed upon me a great amount of work, and has severely taxed my patience and tried my temper. I am therefore greatly rejoiced at its termination with law and justice vindicated and the honor of our flag maintained."<sup>125</sup> What a pity that Perry

<sup>123</sup> Perry to Seward, no. 53, October 29, 1864, Tunis, *Consular Letters—Tunis*, vol. 9.

<sup>124</sup> Perry to Seward, no. 80, November 6, 1865, Washington, in *ibid.*

<sup>125</sup> Perry to Seward, March 31, 1866, Tunis, in *ibid.*

enjoyed his triumph only about a year and a half before he resigned.<sup>126</sup>

Little problems of consular jurisdiction and privilege kept coming up periodically. They were not so long-drawn-out as Perry's plight, but they touched directly on the inadequate consular provisions of the 1838 treaty. At the end of the Civil War, Marsh suggested to the State Department that he propose to the Italian Government the negotiation of a consular convention, as well as that of the commercial treaty for which he was already empowered. The State Department, however, thought otherwise.<sup>127</sup> A few more cases caused a change of mind. The Italian consul at New Orleans, undoubtedly in good faith, imported goods for his personal use, on the French ship, *Magère*, and claimed that it was duty-free, as a matter of "diplomatic privilege."<sup>128</sup> Then the Italian consul at San Francisco was required to pay income tax, and the State Department had to send an apology.<sup>129</sup> Far more decisive was the case of the *J. Godfrey*.

This happened at Palermo in the year 1866. James Dempsey, second mate of the bark *J. Godfrey* was murdered by Lloyd Brown, colored cook of the bark. It was an American ship and the principals in the case were American, so Luigi Monti, United States consul at Palermo, promptly ordered the arrest of Brown and early the next morning proceeded on board and instituted proceedings. He had an autopsy performed and examined witnesses. In the midst of these duties, the Italian "judge of instruction" came on board with a written request to be allowed to proceed in the investigation of the crime. Monti explained that this was a matter within the American consul's jurisdiction. The judge agreed and quietly withdrew. Investigation disclosed that Brown had stabbed Dempsey in the breast with a galley knife. The first mate had attempted to separate the fighters, but had been prevented by three men of the crew, David Brown, Frank

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<sup>126</sup> Perry to Seward, December 27, 1867, Washington, in *ibid.*

<sup>127</sup> Seward to Marsh, no. 135, July 24, 1865, *Inst. It.*, vol. 1.

<sup>128</sup> Seward to Bertinatti, unofficial, October 30, 1865, Washington, *To It.*, vol. 6; Bertinatti to Seward, November 4, 1865, *From It.*, vol. 4.

<sup>129</sup> Bertinatti to Seward, May, 1866, *From Italy*, vol. 4; Seward to Bertinatti, June 6, 1866, Washington, *To It.*, vol. 6.

Brown, and Joseph Fritz. These three men were arrested as accessories. The consul then applied to the *Questore* of the city for custody of the men, until means could be found for shipping them to the United States.

On returning to his office, Monti found a note from the *Procuratore del Re* taking exception to the refusal to allow the judge to act and asking an immediate reply. Monti sent an agent with a copy of Wheaton's *Elements of International Law* to point out Part II, Chapter II, p. 154 ff. and to state that an answer would follow. The agent returned with the reply that the *Procuratore* was acting under orders of the *Procuratore Generale del Re*, who said that Wheaton was an old authority and of no weight in Italy. Further, a while ago, the Minister of Grace and Justice had sent a circular ordering the judicial authorities to institute proceedings in cases even on board of foreign merchant ships, after proper notice had been given to the respective consuls, whenever in any crime committed on board, the public peace had been disturbed, or the crime had been committed on shore. Monti answered that both the judge and he had agreed that the public peace had not been disturbed in this instance. Monti proceeded to have the body interred in the Protestant cemetery. Three days later, the consul was officially informed that the cemetery had been entered, the body exhumed, and another autopsy performed. Monti promptly telegraphed to Marsh about this arbitrary act against consular authority. Besides all this, the *Procuratore* had given orders that all prisoners were to be detained until the jurisdictional problem was settled at Florence.<sup>130</sup> Fortunately, after two months and a half, the case was decided in Monti's favor.<sup>131</sup> Within two weeks the prisoners were shipped to the United States, but there was difficulty in this procedure, too. The masters of the ships concerned had been reluctant to take such passengers on board.<sup>132</sup>

Negotiations for the consular convention were soon underway,

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<sup>130</sup> Monti to Seward, no. 58, March 9, 1866, Palermo, *Consular Letters—Palermo*, vol. 5.

<sup>131</sup> Monti to Seward, no. 64, May 3, 1866, Palermo, in *ibid.*

<sup>132</sup> Monti to Seward, no. 66, May 17, 1866, Palermo, in *ibid.* The State Department approved Monti's action in Seward to Monti, no. 35, April 9, 1866, *Instructions—Palermo*, vol. A-4, p. 85.

and the *projet* completed by February, 1868.<sup>133</sup> Before the final ratifications had taken place a case analogous to that of the *J. Godfrey* occurred at San Francisco. This time the aggrieved party was the Italian consul. There had been mutiny and murder on board the Italian brigantine, *Maria Giuseppina*. The culprits were put in prison, but before the expiration of the required three months (the consul was allowed three months to make arrangements to ship the prisoners home), the district judge, Mr. Sawyer, released them on a writ of *habeas corpus*. The judge later excused himself by saying that he was not sure that the 1838 treaty was still operative. To make matters worse, the leader of the mutinous faction then instituted court proceedings against the Italian consul. Despite the protests of the Italian legation, the State Department refused to interfere in a judicial matter.<sup>134</sup> Clearly, a new consular convention was absolutely necessary,<sup>135</sup> and in a relatively short time the ratifications were exchanged on September 17, 1868.<sup>136</sup>

By the terms of the convention, each country was to receive consuls-general, consuls, vice-consuls, consular-agents of the other and to furnish *exequaturs* free of charge.<sup>137</sup> Consular officers, subjects of the state by which appointed, were to be free from arrest, military billetings, service in militia and the national guard, and the regular army, and from all taxation. If subjects of the state where resident, or if they owned property or engaged in business there, they were to be liable to the same charges as citizens or subject merchants or proprietors.<sup>138</sup> Consular offices and dwellings were to be held as inviolable, but they were not to be used as places of asylum.<sup>139</sup> It was stated that consular officers might take the depositions of the captains and crews of vessels of their own

<sup>133</sup> Seward to Marsh, no. 181, January 23, 1868, Washington, *Inst. It.*, vol. 1.

<sup>134</sup> Cerruti to Seward, June 24, 1868; Colobiano to Fish, December 9, 1869, *From It.*, vol. 5; Seward to Cerruti, July 7, 1868; Fish to Colobiano, December 22, 1869, *To It.*, vol. 7.

<sup>135</sup> Cerruti to Seward, June 24, 1868, Washington, *From It.*, vol. 5; Seward to Cerruti, July 1, 1868, and September 15, 1868, Washington, *To It.*, vol. 7.

<sup>136</sup> The treaty may be found in Malloy, *op. cit.*, I, 961-977.

<sup>137</sup> *Ibid.*, pp. 961-962, art. I-II.

<sup>138</sup> *Ibid.*, p. 962, art. III.

<sup>139</sup> *Ibid.*, art. VI.

country, of passengers, or of any citizens or subjects of their nation. They might receive, according to laws and regulations of their country, contracts concerning citizens of their country or property or business therein. Official documents sealed with the consular seal were to be received as legal documents in courts throughout the United States and Italy.<sup>140</sup> Consular officers were to have exclusive charge of the internal order of the merchant vessels of their nation. The American and the Italian authorities were to furnish aid to the consuls, when they asked it, to search, arrest, and confine crew members. Release of such members was to be granted at the mere request of the consular officer.<sup>141</sup> These main terms of the consular convention solved most of the past problems between the two countries. There were loop-holes, however, which were brought out shortly, either in actual or in hypothetical cases.

Trouble in North Africa inaugurated a series of cases which pointed up the inadequacies of the consular convention of 1868 in a way similar to that of the treaty of 1838. The activities of Michel Vidal in Tripoli are a dark and mysterious adventure story interesting enough for more extensive investigation and important as illustrative of later-nineteenth century humanitarianism, of post-Civil War American emancipation attempts, and of American interest in the acquisition of an African colony during an age noted for its isolation.<sup>142</sup> Vidal attempted to use the extra-territorial status of the consulate as a means to shelter and help Negro slaves to freedom. As long as his efforts were extended primarily to male slaves, the American envoy was subjected to a whisper campaign, but tolerated. In 1876, however, the consulate was used as a temporary refuge of dusky slaves of both sexes, and in the gossip-

<sup>140</sup> *Ibid.*, p. 963, art. X.

<sup>141</sup> *Ibid.*, p. 964, art. XI.

<sup>142</sup> Throughout the Vidal correspondence, 1870-1876, there are repeated references to the slavery question. Vidal's Louisiana background undoubtedly made him particularly conscious of the problem. For the investigation for a possible African foothold, cf. particularly Vidal to Hunter, no. 62, June 22, 1875. This is a scrambled despatch which is to be read by means of the grille sent in Vidal to Hunter, no. 58, March 20, 1875, Tripoli, *Consular Letters—Tripoli*, vol. 9.

ridden diplomatic circle,<sup>143</sup> became an object of scandal. Vidal himself was soon *persona non grata* to the Porte.<sup>144</sup> The Italian legation in Washington was instructed to inform the State Department of the alleged indecorum. The protest included several acts of apparent discourtesy on Vidal's part, to the Italian consulate in Tripoli.<sup>145</sup> The result of the American consul's good intentions was his recall.<sup>146</sup> Vidal responded with his usual large-hearted grandiloquence:

"I have laboured, indeed, to unfetter the slave,  
"If wrong, let the record be writ on my grave."<sup>147</sup>

Meantime, Palermo was again the scene of a brief conflict of consular jurisdiction. A deserter from the British army had reportedly got on board the United States bark, *American Eagle*. Robert Fraser, United States consul at Palermo, instructed the captain of the bark, then in port, to surrender the fugitive to the British authorities. When the affair was reported to Marsh, he promptly rebuked the consul and told him that there was no convention between the United States and Great Britain for the surrender of military deserters. Fraser was to insist on the return of the deserter and in case of necessity, appeal to the Italian local authorities to enforce the demand. To the consul's relief,

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<sup>143</sup> Vidal once spoke of the troublesome character of the Tripolitan consular post where at least once a year there was "a tremendous row among the consuls or with the Pashaw." Cf. Vidal to Hunter, no. 69, August 25, 1875, Tripoli, in *ibid.*

<sup>144</sup> Cf. Vidal to Hunter, nos. 78-82, July 1, 7, 15, 18, 1876, Tripoli, in *ibid.* In no. 82, Vidal stated that since March 27, 1876, ninety-five slaves had been liberated by the United States consulate.

<sup>145</sup> Blanc to Fish, private and confidential, July 26, 1876, *From It.*, vol. 7.

<sup>146</sup> The Secretary of State took pains to explain to Vidal that the Porte had urged the recall and the Government had to yield to the demand to save further embarrassment. Secretary Fish added:

I avail myself of this occasion to assure you that your official course generally has heretofore met the approval of the Department, and that your efficiency, patriotism and zeal, have been recognized and appreciated.

Fish to Vidal, no. 62, June 20, 1876, *Instructions—Barbary Powers*, vol. 15.

<sup>147</sup> Vidal to Hunter, no. 85, July 17, 1876, *Consular Letters—Tripoli*, vol. 9.

both the British and the Italian authorities concurred in the release of the prisoner. Marsh, however, must have been surprised to receive the congratulations of the State Department on the result of the affair. He was told that the search of vessels in time of peace was illegal on the high seas only. A vessel might always be searched for sufficient reason when in port, unless there were treaty provision to the contrary.<sup>148</sup>

The *American Eagle* affair involved a fine point of jurisdiction, but the invasion of the dwelling of the United States consul at Milan in 1877 was clearly a violation of the Convention of 1868.<sup>149</sup> Mr. H. W. Trimble, the consul in question, had charitably assumed the debt of one Mrs. B. P. Beach, a destitute musical student in what the consul-general termed in his report, "that most inharmonious musical city." When the creditors demanded payment, Trimble defaulted. The next step was the attempted seizure of his effects, and a stern American protest.<sup>150</sup> The royal government obligingly ordered a reprimand of the responsible magistrates and issued a circular on the convention.<sup>151</sup>

Shortly after the Trimble episode, the Italian government served notice of its unwillingness to renew the 1868 consular convention now that the stated ten-year period of duration was drawing to a close. The Roman authorities expressed the wish to negotiate a new convention with article VI excluded. This paragraph referred to the inviolability of the consular offices and dwellings.<sup>152</sup> Negotiations were carried through with comparative speed.<sup>153</sup>

Most of the articles in the convention of 1878 were substantially the same as the instrument of a decade before. The new article

<sup>148</sup> Marsh to Fish, no. 597, April 6, 1876, no. 600, April 14, 1876, Rome, *ID*, vol. 16. The congratulatory message is handwritten on despatch no. 600 by the second assistant Secretary of State, William Hunter.

<sup>149</sup> Marsh to Evarts, no. 672, May 23, 1877, Rome, *ID*, vol. 16.

<sup>150</sup> McMillan to Hunter, no. 44, May 11, 1877, Rome, *Consular Letters—Rome*, vol. 8.

<sup>151</sup> Melegari to Marsh, May 23, 1877, Rome. Enclosure to Marsh to Evarts, no. 672, May 23, 1877, Rome, *ID*, vol. 16.

<sup>152</sup> Wurts to Evarts, no. 699, September 16, 1877, no. 700, September 18, 1878, Rome, *ID*, vol. 16. Malloy, *op. cit.*, I, 962.

<sup>153</sup> The entire procedure took only about one year. Ratifications were exchanged on September 18, 1868. The treaty is in Malloy, *op. cit.*, I, 977-982.

VI recognized the consular *offices* only as inviolable.<sup>154</sup> Some of the other changes represented only more precise phraseology. For example, article XIII of the 1868 document stated that "consuls" might demand the surrender of deserters; that of 1878 gave the same right to "consular agents."<sup>155</sup> The change was necessitated by a regrouping of consular districts since the last convention. The only new article was number XVII which gave respective consuls-general, consuls, vice-consuls, consular agents as well as consular chancellors, secretaries, clerks, or attachés in both countries "all the rights, prerogatives, immunities and privileges which are or may hereafter be granted to the officers of the same grade, of the most favoured nation."<sup>156</sup>

While the new convention was being negotiated, another case in which the terms of 1868 were questioned, happened in south Italy. The American ship, *E. H. Foster*, allegedly suffered loss because of illegal detention by the local authorities at Naples, and recompense was demanded.<sup>157</sup> After high-level discussions, the Italian government refused, stating that nothing in the treaty bound that government to such compensation.<sup>158</sup> The United

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<sup>154</sup> Malloy, *op. cit.*, I, 979.

<sup>155</sup> *Ibid.*, pp. 964, 981.

<sup>156</sup> *Ibid.*, p. 982.

<sup>157</sup> F. W. Seward to Marsh, no. 616, March 7, 1878, Washington, *Inst. GPM*, vol. 7. Marsh to Evarts, no. 765, May 11, 1878, Rome, *ID*, vol. 17.

<sup>158</sup> Marsh to Evarts, no. 814, February 6, 1879, no. 816, February 12, 1879, no. 817, February 27, 1879, Rome, *ID*, vol. 17. No. 817 suggested that disillusion with the Italian government which would grow with the years:

From the action of the Ministry in the case of the *Foster*, as well as in other cases of alleged abuses by inferior officers, it is clear that the Italian Government claims for itself and its executive agents, who are always assumed to have acted in good faith, the exemption from responsibility for the consequences of illegal acts done in the performance of official duties which is elsewhere allowed to judicial officers in regard to the consequence of judgments rendered by them which are found erroneous in point of law. There is consequently little probability of obtaining reparation for damage sustained by private persons from the illegal action of Italian officials, except through the courts of law. A suit against the state would in some cases afford a sufficient remedy, but the state is not always held liable in damages for the illegal acts of its subordinates, nor the subordinates themselves in general held personally responsible at law for such acts. The precise limits of liability for official abuses would be difficult for any but a native jurist to define, and in practice, I fear the English maxim: "There is no wrong without a remedy," would often be found inapplicable in Italy.



States regretted the decision but did not further push the point.<sup>159</sup> In 1879 the master of the Italian bark, *Carmela*, was arrested on the complaint of a sailor, but the judge of the marine court of the city of New York before whom the charge was brought dismissed the case on the ground of lack of jurisdiction.<sup>160</sup> Similar cases later occurred.<sup>161</sup> The result of these minor disputes was, in 1881, a convention supplementary to the consular convention of 1878.<sup>162</sup> Change was made in article XI on shipping disputes, to the effect that in case any disorder should occur on board a vessel of either country in the territorial waters of the other, no federal, state, or local authority or court in the United States nor authority in Italy should interfere, unless the disorder caused a breach of the peace or serious trouble in the port or on shore, or unless a person not a crewman were implicated.<sup>163</sup>

The need for an extradition treaty with Italy was emphasized by the Surratt case. The final ratification of the convention occurred in September, 1868, about the same time as the acquittal of the alleged accomplice.<sup>164</sup> Agreement was made for the delivery, under the usual conditions of formal request, of persons accused of murder, rape, arson, piracy, mutiny, burglary, robbery, forgery, counterfeiting, and embezzlement.<sup>165</sup> There was a plethora of cases in the next fourteen years, the most notorious being that of the Collinses (*alias* Cleveland) internationally sought Amer-

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<sup>159</sup> F. W. Seward to Marsh, no. 669, April 15, 1879, Washington, *Inst. GPM*, vol. 7; Marsh to Evarts, no. 854, November 10, 1879, no. 858, December 9, 1879, Rome, *ID*, vol. 17; Evarts to Marsh, no. 717, May 5, 1880, Washington, *Inst. GPM*, vol. 8.

<sup>160</sup> Evarts to Blanc, July 30, 1879, F. W. Seward to Blanc, August 14, 1879, Washington, *To It.*, vol. 7.

<sup>161</sup> Some of these small points of friction are outlined in Camporeale to Evarts, October 22, 1880, *From It.*, vol. 8.

<sup>162</sup> Evarts to Camporeale, November 2, 1880, *To It.*, vol. 7. The convention was concluded on February 24, 1881, cf. Blaine to Marsh, no. 799, October 24, 1881, Washington, *Inst. GPM*, vol. 8.

<sup>163</sup> Malloy, *op. cit.*, I, 983-984.

<sup>164</sup> The convention is in *ibid.*, pp. 966-968. Cf. *supra*, pp. 36-37.

<sup>165</sup> *Ibid.*, p. 967.

ican forgers and counterfeiters.<sup>166</sup> Public safety in Italy was extremely hazardous. Marsh explained the prevalence of crime, by noting that the Italians, especially in the south, had been misruled for so long that they had come to resent and despise all authority.<sup>167</sup> Whatever the cause, brigandage was recurrent throughout the peninsula during all the years, 1861-1882. The extradition convention was put into early and repeated use. Numerous cases of children abducted to act as professional vagrants made it necessary to add kidnapping to the list of extraditable offences by an additional clause in 1884.<sup>168</sup>

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<sup>166</sup> These cases as well as those of the Italian brigands run in a regular series throughout the diplomatic despatches. Cf. particularly *To It.* and *From It.*, *ID*, and *Inst. GPM*, 1871-1882.

<sup>167</sup> This is another recurring refrain in the Marsh despatches. For some examples, cf. Clay to Seward, no. 152, August 11, 1866; no. 161, September 13, 1866, Florence, *ID*, vol. 11; Marsh to Fish, no. 287, May 20, 1870, Florence, *ID*, vol. 13; no. 520, October 6, 1874, no. 544, March 31, 1875, vol. 15; no. 662, April 23, 1877, vol. 16; no. 800, November 30, 1878, vol. 17, *ID*.

<sup>168</sup> Malloy, *op. cit.*, I, 985-986.

## CHAPTER V

### ITALO-AMERICAN RELATIONS WITH THIRD POWERS

Some interesting aspects of Italo-American relations were occasioned by issues arising from affairs involving other states. These occasions may be placed in three categories: cases of arbitration, proposals for joint action or a concurrent movement with other powers, and instances of mutual support when one country used its good offices in behalf of the other or took charge of one of its legations in time of crisis. In all of these circumstances, there was not the slightest suggestion of a break in the smooth course of relations between the United States and Italy. The one instance of incipient trouble, that of Japan, was readily ameliorated. Sometimes these affairs brushed very close to that delicate balance of power which Bismarck was so carefully engineering, but the touch was so light as to be negligible. In the whole wide range of foreign policy in the latter half of the nineteenth century, Italo-American relations with third powers<sup>1</sup> lay close to the periphery.

In the nineteenth century the United States may be said to have acquired the habit of arbitration, although it never agreed to the inclusion of compulsory arbitration clauses in its treaties with European states. Three times in the twenty-one years under consideration the Italian envoy in Washington was asked to serve as arbitrator of a mixed claim commission involving the United States and a third power. The post-Civil War commission to decide Anglo-American claims and on which Count Luigi Corti efficiently served, has already been discussed.<sup>2</sup> Chronologically, it was second in the series. In the very course of the Civil War, on April 1, 1862, Joseph Bertinatti was invited to act as umpire of the

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<sup>1</sup> This chapter deals only with events which actually involved both powers, and which were the subject of diplomatic correspondence. Foreign relations of either country which were just mentioned parenthetically or editorially in official papers are excluded here, but some of Marsh's comments may be found in the Appendix.

<sup>2</sup> *Supra*, pp. 40-42.

mixed commission set up under the convention of July 2, 1860, between Costa Rica and the United States, to resolve American claims against Costa Rica.<sup>3</sup>

The Costa Rican claims grew out of the disorders of the 1850's in Central America.<sup>4</sup> These disturbances, in turn, were just another aspect of the periodic upheavals that upset the region ever since independence had been declared in 1821. The year after the five Central American provinces (Guatemala, Honduras, Nicaragua, El Salvador, and Costa Rica) shook off allegiance to Spain, they joined Mexico. This union lasted about one year when a federal republic of the five states was organized with a constitution modeled on that of the United States. After fifteen years of party strife and intermittent civil war, the national congress closed its sessions in 1838 and declared the states free to adopt any form of government they desired. More wars followed, as El Salvador, Honduras, and Nicaragua tried at various times to set up a new federal government. The attempts were interrupted with internal factionalism and interference on the part of Guatemala who was content to carry on her own local government, but not sufficiently satisfied to let others alone. Costa Rica's geographical isolation kept her out of most of these struggles, but in the 1850's she, too, was drawn into the arena. It was Nicaragua who set the whole area in ferment. Besides quarrels with her neighbors, this state's troubles were intensified by bitter enmity between her two chief cities, Granada and Leon. Granada, the more northern city, was regarded as conservative. The right-wing elements in the four other states were generally regarded as her allies. Leon, reputedly liberal, adopted the support of an American adventurer, William Walker, and his band of fifty-eight filibusters.

In June of 1855, Walker and his company reached Nicaragua.

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<sup>3</sup> *Docket Journal, Mixed Commission of the United States and Costa Rica*, Claims Convention of July 2, 1860. For correspondence leading up to the Claims Convention and the formation of the commission, cf. *Diplomatic Despatches, Nicaragua and Costa Rica*, vol. 6, *Costa Rica*, vol. 1; *Instructions—American States*, vol. 16.

<sup>4</sup> For general background of these claims, cf. Dana Gardner Munro, *The Latin American Republics, A History* (New York: D. Appleton-Century, 1942), pp. 470-481.

In October, they seized Granada and were kept from further depredation by a patched-up peace. Walker was put in command of the Nicaraguan army. He soon let it be known that he and his "American phalanx" were really in charge and when both liberal and conservative leaders tried to rebel, Walker set himself up as dictator. Soon hundreds of adventurers were coming from the United States to join him. Interest, if not sympathy, was aroused in the United States. Perhaps British attempts to control the proposed Nicaraguan canal route could be foiled, or Nicaragua could be added to the Union as a slave state. The whole mad business was aided by the Accessory Transit Company, established to transport passengers across Nicaragua from the east coast to California. But here Walker played a wrong card. He supported a group of A.T.C. who wanted to wrest control from the former president, Cornelius Vanderbilt. Walker cancelled the company's concession and granted a new one to his friends. But Vanderbilt was avenged. Soon factions in each of the Central American states were marching to drive out the American intruder. Walker prepared to make a stand in western Nicaragua, but steamers (allegedly Vanderbilt's) on the San Juan River and the great lake helped a Costa Rican force cut off his communications with New York. On May 1, 1857, Walker surrendered to the commander of an American warship. After several more futile attempts to stage a come-back, the erstwhile dictator was finally captured and executed in northern Honduras in 1860.

Bertinatti's task, which he amiably accepted, was to act as arbiter of American claims resulting from these dubious activities in the Central American states. The Joint Commission set up under the 1860 convention, met for the first time on February 2, 1862. The Commissioner for the United States was Benjamin T. Rexford of New York; for Costa Rica, Senor Don Luis Molina, minister-plenipotentiary and envoy extraordinary of Costa Rica to the United States. In this first meeting a secretary was appointed, and rules and regulations were drawn up. The claimants were to file a memorial with the secretary of the board in Washington. This paper was to set forth minutely and particularly the facts and circumstances of the derivation of the claim and was to be verified by oath or affirmation. Claims arising from seizure

of a ship or vessel were to be accompanied by papers and documents required by the laws of the United States for ships. When a claimant had filed his proof in chief, the proof on the part of the government of Costa Rica was to be filed within ninety days. Presentation of proofs began on March 12, 1862, but after several requests for a time extension, the Commission ordered that a period of two months from the current date should be allowed for claimants to file their proofs against Costa Rica but there should be no further extension of time except for evident good cause. The umpire's jurisdiction was to include both cases of disagreement and procedural differences.<sup>5</sup>

Between July 14 and November 6, 1862, thirty-four meetings were held by the Commission. Of the thirty-nine cases presented for consideration, five were not acted on by the Board; thirteen cases, totalling \$544,233.00, were rejected; and twenty-one cases totalling \$1,222,870.86, went to the umpire. Four cases had been rejected outright. Other disallowances were for general lack of proof, want of proof of United States citizenship, or doubt as to whether or not the aggressor was Costa Rica or another protagonist. On January 5, 1863, the secretary was able to enter on the journal the report of the arbitrator: nine cases rejected; twelve cases, totalling \$25,704.14, found valid.<sup>6</sup>

Of the dozen cases allowed by the umpire, six were decided on the same basis—the case of Isaac Harrington, deceased, whose heirs claimed \$20,000 compensation for forced service. It was shown that some steamers of the “Accessory Transit Company” were taken over by Costa Rica in December, 1856. The captains had been pardoned by the confiscating power and allowed to leave the country, but the crew and subordinate officers remained, and

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<sup>5</sup> *Docket Journal*.

<sup>6</sup> Letters, case summaries, and decisions are filed in paper pocket-folders marked “Costa Rica,” in the Foreign Affairs Section of the National Archives. Cf. Folder No. 7, Davis, Rexford, Molina to Seward, Washington, November 6, 1862, for statistical summary of the work of the Commission; for a detailed summary, case by case, cf. *Docket Journal*. Occasionally details for a particular case may be found in one of the volumes of *Miscellaneous Letters* for 1862 or 1863.

from them, Costa Rica chose new captains. Harrington had been so promoted and compelled to serve. His petitioner, as well as four of the other claimants who had been in a similar plight, were awarded \$1,000 each. Bertinatti decided on \$800 for an assistant engineer who had been compelled to serve a shorter time. Two hotel-owners were awarded damages for property destruction, and one lessee of a hotel received compensation for loss of business. No charge of actual belligerency could be made against these claimants. A certain Fluvel Belcher alleged false imprisonment and loss of a gold mine. He got \$250.00 as an injured "peaceable miner," but there was no substantiation for the gold mine. Two employees of the "Accessory Transit Company" received sizable awards for personal injuries, damages, or compulsory service. Over fifty other A.T.C. men had been active belligerents and so could claim no redress, even if they had wanted to do so.

Bertinatti's rejections were actuated by the same motives as those of the Commission. The umpire also cast aside all pleas of pro-Walkerites. This was one of the major reasons for his firm negative of the thirty-nine claims of the "Accessory Transit Company." In the aggregate these claims amounted to \$539,090.00 for property destruction; i.e., the burning of the wharf at Virgin Bay, Nicaragua, and the capture of fourteen steamers. In addition to the point of pro-Walker belligerency, Bertinatti gave as his reasons for rejection: 1. that the actions of Costa Rica had been justified as acts of war; 2. the claim (for the steamers) had been presented too late—after July 2, 1860; 3. the "Accessory Transit Company" was not the real company in question, inasmuch as the Walker government had dissolved A.T.C. and created a new company under a different legal name, "The Nicaraguan Transportation Company." Needless to say, the arbitrator's decision in this last case was bitterly denounced by the agents of the company who besieged the State Department with a medley of protests, none of which produced the desired effect.

The records of the Costa Rica claims commission—letters, docket journals, and case folders—give evidence of the industry and painstaking care of the board. On the other hand, the diplomatic papers contain only the briefest mention of the transmittal

of the decision of the arbitrator.<sup>7</sup> There is not a single word of appreciation. Perhaps the exigencies of war caused this courtesy to be overlooked. Certainly Secretary Seward and Bertinatti were on very friendly terms, and there was no apparent dissatisfaction with the discharge of official duties on the envoy's part during all the twelve years of his incumbency (1855-1861 as chargé d'affaires, 1861-1867 as minister).<sup>8</sup> If the clue to the attitude toward Bertinatti is really found in Marsh's no. 246, April 12, 1869, it is not a very high tribute to the vaunted egalitarianism of some Americans of the period. Marsh thought Bertinatti was maneuvering for re-nomination to Washington, and off to the State Department went the opinion that although no one could deny that Bertinatti had espoused the Union cause in the recent war, the gentleman was "not by any means an adequate representative of the social culture or of the political tendency of the Italian nation, or of any of the better classes of its population."<sup>9</sup> The American representative's sigh of relief seems folded right into the musty pages of his early 1870 despatches in which he gladly reports the appointment of Count Luigi Corti and adds that Bertinatti himself had requested a European post because his daughter was to be married to a Piedmontese gentleman. Bertinatti was sent to The Hague as Italian representative.<sup>10</sup>

Quite a contrast to the Costa Rica claims commission which worked with such prudent dispatch that its labors were concluded in a twelve-month, was the activity of the Spanish-American claims commission which lumbered along for twelve years, 1871-1883.<sup>11</sup> The claims in question resulted from revolutionary activ-

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<sup>7</sup> Bertinatti to Seward, January 11, 1863, New York, *From It.*, vol. 3; Seward to Bertinatti, January 29, 1863, Washington, *To It.*, vol. 6.

<sup>8</sup> For list of names and time of appointment of early Italian envoys to the United States, cf. Corti to Fish, April 17, 1872, Washington, *From It.*, vol. 5.

<sup>9</sup> To Fish, Florence, *ID*, vol. 12.

<sup>10</sup> To Fish, no. 278, February 18, 1870, and no. 283, April 21, 1870, Florence, *ID*, vol. 13.

<sup>11</sup> For an analysis of the work of the Spanish-American claims commission, cf. Moore, *International Arbitrations*, II, pp. 1019-1953.



ities and confiscatory decrees on the part of Cuba in the 1860's.<sup>12</sup> On December 12, 1870, General D. E. Sickles, United States minister at Madrid, was empowered to conclude a convention for a mixed commission to resolve the claims. Various difficulties immediately arose, especially Spanish insistence on due recognition of the decisions of military tribunals in Cuba irrespective of the type and circumstances of the cases in question. However, the negotiations proceeded rapidly to a conclusion after things settled down somewhat in Spain and the Italian Duke of Aosta took the oath of office as King Amadeo I on January 2, 1871. In ten days an agreement was formally and finally concluded by executive authority for a mixed commission to sit in Washington. The set-up and the rules were very like those of the Costa Rica commission, but this time there were two factors which caused the proceedings to drag on indefinitely. First of all, there was no delimitation of the power of the arbitrators to challenge allegations of "American citizenship." If as Mr. Fish had advised, the power to demand "competent and sufficient proof" had been restricted to naturalization cases, matters would have been expedited. At it turned out, the Spanish commissioner was able to hold up session after session with the undeniable assertion that there were many Cubans who were now American, now Spanish, as it suited their convenience. The second factor of delay was the neglect to fix a terminal date for the presentation of claims. The intention of the contracting parties was evidently to establish a tribunal which would afford the means of settling controversies continually arising. As warfare in Cuba seemed endemic—the island was not pacified until 1878—claim was heaped on claim. After ten years of periodic sessions a new article was added to the 1871 agreement on February 23, 1881. No claims were to be presented to the commission after the period of sixty days from that date unless reasons for delay could be established to the satisfaction of the arbitrators, who might then extend the period,

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<sup>12</sup> The Cuban insurrection is discussed in John Bassett Moore, *A Digest of International Law* (Washington: Government Printing Office, 1906), I, pp. 193-197; VI, pp. 61-68. For a discussion of the legal aspects of the embargoes of property in Cuba and the decrees of 1869, cf. Moore, *International Arbitrations*, IV, pp. 3754-3783.

but not more than thirty days. It was also provided that the board should determine all claims within a year from May 12, 1881, unless in a particular case justice should require an extension. In consequence of deaths on the arbitral board a protocol of May 6, 1882, extended the commission to January 1, 1883, though decisions of the umpire after that date would still be valid. The final agreement terminating the work of the commission was signed on June 2, 1883.

Deaths or resignations necessitated five different American commissioners: William T. Otto, Kenneth Raynor, Joseph Segar, Joseph J. Stewart, and James Loundes. The Spanish had two commissioners: the Marquis de Potestad until 1880; then José Brunetti y Gayoso for one year; then Potestad again. Four different umpires were called into service: Baron Lederer, Austro-Hungarian delegate to Washington, from 1871 to 1874; M. Bartholdi, French envoy, 1874-1877; Baron Albert Blanc, Italian representative, from February 20, 1878, to April 27, 1880; and Count Carl Lewenhaupt, envoy of Sweden and Norway, from May 27, 1880, to the end of the commission's work. To facilitate the business of the commission, a sub-committee was organized at Havana in January, 1873.

Baron Blanc's previous work as Italian minister to Madrid gave him both prestige and experience for his task. In the number of cases decided, however, his record was not overwhelming. Of the 130 claims considered by the commission, thirty-five were allowed and ninety-five dismissed. Twenty-four of the honored cases came before the umpires, but only two of these were handled by Blanc as against one for Lederer, five for Bartholdi, and sixteen for Lewenhaupt. Of the ninety-five dismissals, twenty-eight were decisions of the umpires. Five of these were Blanc's rulings; whereas, two were Lederer's; eleven, Bartholdi's; and ten, Lewenhaupt's. Most of the dismissals were for "non-compliance with the rules of the commission"; meaning, for non-prosecution after filing. In the aggregate, the claims totalled \$30,313,581.32. The claims allowed came to \$1,293,450.55. Ninety-five per cent of this sum was for the cases allowed by the umpires. The two cases that Blanc honored amounted to an award of \$73,600.00 or a mere 5.7 per cent of the total sum bestowed on the claimants.

This somewhat meagre contribution of the Italian representative is not revealed in the diplomatic correspondence with Italy. On the contrary, the number of letters mentioning the work of the commission would convey the impression of a far more substantial output. Still, it is possible that the effort of Baron Blanc was greater than the statistics reveal. He was ever and anon politely suggesting the establishment of a terminal date for the presentation of claims.<sup>13</sup> Shortly after he left for Europe to accept a position in the Ministry of Foreign Affairs, the long-requested date was set.

In contrast to Bertinatti's unsung work on the Costa Rican commission, Blanc received repeated and profuse thanks as well as a monetary recompense for his "impartial and eminent services while occupying this responsible position."<sup>14</sup>

In 1874, Italy reciprocated the honor twice accorded her representative in the United States and asked George Perkins Marsh to serve as umpire of the Italo-Swiss commission established to determine a disputed boundary between the two countries.<sup>15</sup> On August 4, 1874, Marsh was granted permission to act in the requested capacity.<sup>16</sup> In September the commission decided that before entering upon any proof or discussion, arbitrators, agents, and umpire should personally inspect the territory in question. The land in dispute was the Alp of Cravairola, an irregular triangle of 4,500 acres of mountain-pasture lying on the east slope of the mountain chain which forms the watershed between the Italian valley of the Tosa and the Swiss valley of the Maggia. Both the Tosa and the Maggia empty into the Lago Maggiore. The pastures of Cravairola were 4,500-9,000 feet above sea level and accessible only by rugged mule-path. It must have been no small feat for seventy-three-year-old, corpulent Marsh to hoist himself up the rocky way in very bad weather.<sup>17</sup> He stood the

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<sup>13</sup> For the diplomatic correspondence pertaining to the commissions, cf. *To It.*, vol. 7, and *From It.*, vol. 8, 1878-1880.

<sup>14</sup> Evarts to Blanc, May 17, 1880, Washington, *To It.*, vol. 7.

<sup>15</sup> Marsh to Fish, no. 497, July 7, 1874, Rome, *ID*, vol. 15.

<sup>16</sup> Cadwalader to Wurts, no. 433, August 4, 1874, Washington, *Inst. GPM*, vol. 5.

<sup>17</sup> Marsh to Fish, no. 512, September 15, 1874, Rome, *ID*, vol. 15.

ordeal remarkably well and on September 16, 1874, plunged into eight days of intensive study in preparation for the decision rendered in Italian on September 23.

Marsh discovered that the Italian communes had long been in possession of the area which they rented to their own citizens on certain customary conditions. The right to the *soil* was admitted by Switzerland. The dispute was one of jurisdiction—should Italian municipal or Swiss cantonal authority prevail? As far as Italy was concerned the area had neither political nor military importance. The kingdom was interested chiefly to protect the property rights of her citizens. Switzerland, on the other hand, felt that sovereignty over the Alp was of high importance not only for policing purposes but to extend the system of hydraulic and forestal administration over the territory so that the soil on the lower course of the Rovana River might be protected.

As historical evidence of prior right, the Italian communes of Crodo and Pontemaglio could produce conveyances of undivided fractions of territory from the inhabitants of Val Antigorio, dated at various periods from 1369 to 1497. Switzerland claimed the Val Maggia by right of conquest in 1513 which act was confirmed by treaty in 1516 between the Swiss Republic and Francis I of France then in possession of the Duchy of Milan. Between 1516 and 1641 both Italy and Switzerland periodically exercised jurisdiction, but neither claimed sovereignty. The Swiss maintained that in 1554 Crodo had appeared before Swiss magistrates when there had been question of the eastern boundary of the Alp of Cravairola. This was interpreted as a sign that the Italian commune recognized Swiss jurisdiction. Marsh felt that the technical appearance of Crodo as a party was not clear from the record. Furthermore, the appearance of the commune, if such it were, might have been made for the purpose of objecting to Swiss jurisdiction. The latter appeared plausible because no adjudication had been made and a committee of the citizens of Crodo eventually determined the boundary. Moreover, all subsequent documents referred to this terminus as an established fact. In 1641 the Swiss governor of Val Maggia advanced claim to jurisdiction over the Alp. Nine years later a congress was held to determine the question, but no decision had been reached. From this point on, the

history of the problem was made up of a succession of private trespasses and official attempts at exercise of local jurisdiction by both parties, but as Marsh said, he found nothing in them to affect the rights of either party and in his estimation, those rights therefore remained what they had been three hundred years before.

Switzerland further alleged that according to the principles of political geography the watershed was, in absence of clear proof to the contrary, to be taken as the limit between co-terminous states. But Marsh reasoned that the watershed principle was not generally recognized in Europe, least of all in the case of the Italo-Swiss boundary where there were numerous deviations from it. The umpire was convinced that if it were merely a question of expediency or convenience, the "ultimate interests of both parties would be most effectually promoted by assigning the territory in dispute to Switzerland." The potency of the historical argument ruled out that of expediency and Marsh handed down a decision in favor of Italy.<sup>18</sup>

"To save possible embarrassment," said Marsh, he had given notice to the Italian commissioner that he could accept no compensation, gift, or other material acknowledgment and begged that none might be offered. Naturally, Italy and Switzerland wished to express appreciation. Protests notwithstanding, Italy offered an "ornamental table" and Switzerland, a "pocket chronometer."<sup>19</sup> Joint act of Congress on February 12, 1876, permitted Marsh to accept the table and the watch.<sup>20</sup>

By 1878 Italy and the United States had shared arbitral experiences on the Costa Rican claims commission, the Anglo-American claims commission, the Geneva Tribunal, and the Italo-Swiss boundary commission. Each case had shown beneficial results and it is understandable that enthusiasm for arbitration mounted high in the Italian legislature. On April 3, 1878, the Italian Chamber of Deputies adopted a resolution offered by the eminent jurist, Pasquale Stanislao Mancini, to the effect that the King be requested to insert in all treaties already concluded as well as in

<sup>18</sup> Marsh's report to Fish, no. 513, September 25, 1874, Rome, *ibid*.

<sup>19</sup> Marsh to Fish, no. 559, June 12, 1875, Rome, *ibid*.

<sup>20</sup> Fish to Marsh, no. 509, February 15, 1876, Washington, *Inst. GPM*, vol. 6.

those currently being negotiated "a compromissorial clause . . . providing that controversies concerning the interpretation and execution of treaties, after all means for their direct amicable settlement have been exhausted, shall be submitted to the decision of arbitration." In September, 1878, the ratifications of the recently signed Italo-American consular convention were pending, and so the Italian envoy asked the opinion of the United States as to American wishes about inserting an arbitration clause in the treaty and about the Mancini proposal in general.<sup>21</sup> In reply, Secretary Evarts observed that the government of the United States was not prepared to adopt a general measure of the character stated, but would give the question early consideration.<sup>22</sup> Nobly motivated, Mancini's proposal was to prove in the long run, premature.

At least eight times between 1861 and 1882 proposals were made for either joint Italo-American action or concerted action with other powers. Nearly all the suggestions involved North Africa or Latin America, areas of special interest to Italy and to the United States respectively.

Graphic accounts of misrule in North Africa were nothing new to the State Department, but the Tunisian consular reports of the "severities" of the Bey's administration in 1867 induced Seward to ask Marsh to inquire about the situation in order to find out whether the case was "of such manifest evil tendency as to require any special notice on the part of this Government."<sup>23</sup> Marsh learned from Mr. Barbolani, Italian secretary-general of the Ministry of Foreign Affairs, that although there were five or six thousand Italians residing in the Beylik and the commercial relations of Tunis with Italy were more important than with any other Christian state, the government at Florence was being very

<sup>21</sup> Litta to Evarts, September 6, 1878, Washington, *From It.*, vol. 8. A similar resolution offered by Mancini had been adopted by the Chamber in 1873. The text in pamphlet form "Discorso e proposte del Deputato Mancini" (Roma: Tipografia Eredi Botta, 1873), is filed in the Library of Congress in *Brochures de droit, droit international*, vol. 17, no. 15.

<sup>22</sup> Evarts to Litta, September 16, 1878, Washington, *To It.*, vol. 7.

<sup>23</sup> Seward to Marsh, no. 180, January 16, 1868, Washington, *Inst. It.*, vol. 1.

cautious in offering advice to the Bey. The Italian officials expected little good in that quarter from moral means, while Italy's interests and those of her subjects had not yet called for the employment of material force. Marsh offered to the State Department his personal opinion that a government as remote from Tunis as the United States "could accomplish little for the cause of humanity" by resorting to measures which European powers had found ineffectual or inexpedient. No information which he had obtained led him to anticipate good results from unilateral action on the part of the United States.<sup>24</sup> Marsh's expression of his views caused the reservation of any "special instructions" to the American consul at Tunis.<sup>25</sup> It is noteworthy that in 1869 the Bey's large, unpaid, European debts obliged him to accept the international financial control of England, France, and Italy.<sup>26</sup>

West of Tunis, beyond Algeria, was notoriously misgoverned Morocco. Here the situation had reached such a state that more and more persons were seeking to take advantage of the extra-territoriality of the foreign legations in order to escape the authority of the Sultan. France was for providing the maximum protection; England and Spain, the other two powers most interested in the area, feared abuse of a granted privilege with possibly even more unpleasant results. In consequence, on the initiative of Spain the powers agreed to call an international conference to discuss the situation. In Washington, the chargé d'affaires of Italy called at the Department of State and let it be known that Italy had been asked to attend and had named her minister to Madrid as delegate. Italy's views generally concurred with those of France. The United States, the only non-European country to be invited, told the Italian envoy that the American minister at Madrid, General Lucius Fairchild, had been selected as delegate. The American government favored the adoption of some sort of an "equitable rule."<sup>27</sup> The main accomplishment of the conference

<sup>24</sup> Marsh to Seward, no. 204, February 6, 1868, Florence, *ID*, vol. 12.

<sup>25</sup> Seward to Marsh, no. 188, February 28, 1868, Washington, *Inst. It.*, vol. 1.

<sup>26</sup> William L. Langer, ed., *An Encyclopedia of World History* (Boston: Houghton Mifflin Company, 1948), p. 837.

<sup>27</sup> Memorandum, May 25, 1880, *From It.*, vol. 8.

was the Convention of July 3, 1880, defining extra-territorial protection. Thirteen countries, including the United States and Italy, signed this instrument.<sup>28</sup> The significance of the incident for the present study lay less in these signatures, than in the example which the occasion afforded of Italo-American sharing of purposes and contemplated action in an eastern hemispheric question just as the two countries had been doing in matters of import with reference to Latin America. In the history of American foreign policy in general, the Conference of Madrid was to serve as a precedent for American participation in the more famous Algeciras Conference of 1906.

Within three weeks after the exchange of views on the attendance at the Madrid Conference, Italy invited the United States to join in a collective declaration against Egyptian indebtedness. The cabinets of Italy, Great Britain, Germany, Austria-Hungary, and France had for some time been contemplating the formation of a commission of liquidation for the regulation of Egyptian finance.<sup>29</sup> The United States at first "maintained an attitude of reserve." It seemed that acquiescence in the scheme would obligate the United States to accept any actions of the Commission as binding on American citizens whose interests were involved, while the United States had no part in the composition or the control of the Commission. As it turned out, no such interests were then at stake, so the United States, at the urgent request of the Khedive's government, instructed the American representative at Cairo on July 21, 1880, to adhere to the plan of liquidation. This action was professedly altruistic only—"to avoid embarrassing the friendly government of the Khedive."<sup>30</sup>

Still concerned with Turkish territory, the United States took the initiative in inviting concerted action against the persecution of the Jews in Wallachia and Moldavia. A circular was addressed in 1872 to the American diplomatic representatives in England,

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<sup>28</sup> The Madrid Conference is briefly treated in Samuel Flagg Bemis, *A Diplomatic History of the United States* (New York: Henry Holt and Company, 1950), pp. 579-581. The main points of the convention are summarized in Moore, *Digest*, II, p. 749.

<sup>29</sup> Camporeale to Evarts, June 12, 1880, *From It.*, vol. 8.

<sup>30</sup> Moore, *Digest*, V, p. 584.



Germany, France, Austria-Hungary, Russia, Turkey, and Italy.<sup>31</sup> These powers (Sardinia then the seventh member rather than "Italy") had concluded a treaty in 1858 which purported to carry out certain provisions of the treaty of Paris of 1856 dealing with the two Danubian provinces. Austria-Hungary and Russia declined the American invitation. Great Britain, France, and Germany sent more or less favorable answers. Italy was noncommittal. The Secretary-General of Foreign Affairs informed Marsh that the Italian and British Governments had already exchanged several communications relating to the grievance "which was an affair to be treated with great delicacy." The Secretary thought that the Jewish question would probably have to be brought before a convention of the protecting powers for settlement, but even then, action well-meant might have adverse results. Italy proposed a remonstrance to St. Petersburg since, the Secretary said, most of the persecutors were members of the Greek Church.<sup>32</sup> That suggestion, of course, had already been tried in vain. Protests against the "persecution of the Jews in the Danubian provinces" became a recurrent phrase in American diplomatic correspondence for succeeding decades.

Even more frequently than the dominions of the Sublime Porte, Spanish-America furnished opportunities for Italian-American discussion and action. The United States had political interests as expressed in the Monroe Doctrine, while Italy had a growing cultural and commercial interest in a region which was attracting a large number of Italian immigrants. Argentina and Brazil were receiving the greatest Italian influx, but Venezuela, Peru, Chile, and the Plata countries were interesting both as near neighbors of Brazil or Argentina or as possible localities of future migration.<sup>33</sup> With the righteousness of a recent convert, Italy was shocked, disturbed, and sometimes aggrieved with what she witnessed in these areas.

Venezuela was being ruled by a series of "strong men." A fed-

<sup>31</sup> Fish to Marsh, no. 348, July 22, 1872, Washington, *Inst. GPM*, vol. 4. Cf. Moore, *Digest*, VI, pp. 359-367.

<sup>32</sup> Wurts to Fish, no. 415, August 14, 1872, Rome, *ID*, vol. 14.

<sup>33</sup> Italian emigration to South America is treated in Foerster, *op. cit.*, pp. 223-319.

eral constitution had been adopted in 1864, but the president did not prove an able administrator. From 1868 to 1872 the country was torn by civil war until Antonio Guzman Blanco ensconced himself in Caracas for sixteen years of domination.<sup>34</sup> In the course of the turmoil of the inter-regnum, there were two occasions when concerted diplomatic action involved both the United States and Italy. On July 27, 1869, the representatives of France, North Germany, Spain, Brazil, Italy, and the United States, accredited to the republic of Venezuela, protested in a body against certain laws which violated the diplomatic immunities and prerogatives recognized by the law of nations. The situation of the Venezuelan government being what it was, answer to the protest was unduly delayed. To the royal government of Italy, this procrastination afforded "ground for the presumption that the reply might be in a sense contrary to what is required by a respect for the law of nations." Further action by the united powers was considered justified, but first Italy would consult the United States. What were the American views on the matter and what instructions were to be given to the envoy at Caracas? This inquiry was made in order that the chargé d'affaires of Italy might "act in concert with" the representative of the United States.<sup>35</sup> Secretary Fish replied that the action of the minister-resident of the United States at Caracas in joining the protest had met with the approval of the department. The legate had been told, too, to let the Venezuelan authorities know that the United States was confident that that government would not assume extraordinary judicial power over the persons of the diplomatic representatives of the United States; however, now that the question had been raised, undoubtedly the Caracas cabinet "would feel anxious to disclaim a jurisdiction not sanctioned by the public law of the world." On March 23, 1870, after the Italian legation had sent its inquiry, the State Department received Venezuela's answer to the joint protest of the

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<sup>34</sup> Munro, *op. cit.*, pp. 399-401; Moore, *Digest*, I, pp. 149-152; Dexter Perkins, *The Monroe Doctrine 1867-1907* (Baltimore: The Johns Hopkins Press, 1937), II, 112-113. Cf. William Henry Gray, *The Diplomatic Relations between the United States and Venezuela* (Chicago: Private edition, 1940).

<sup>35</sup> Colobiano to Fish, March 16, 1870, Washington, *From It.*, vol. 5.

diplomatic corps. That troubled state disavowed the interpretation which had been made of her laws, so the State Department halted correspondence on the subject, unless some other powers who had joined in the protest should think that the Venezuelan answer called for special notice.<sup>36</sup>

Somewhat more than a year later, when Guzman Blanco had gained control of Caracas, but had not yet subdued the whole country, the State Department was taken aback by an inquiry of the German envoy to the United States.<sup>37</sup> He wished to learn "how the Government of the United States would receive the proposal made in a circular sent from Berlin to the German representatives at London, Madrid, Florence, and Copenhagen, "proposing a joint and concerted movement to urge on Venezuela, a more orderly government and better observance of her engagements." It was a typical move of Prussian thoroughness—not just a protest against an isolated law, but a demand that the whole administration be reformed. Just how this was to be done, or what the powers were expected to do, was very vague, but there was mention of "combined fleet" and "guns." To Secretary Fish, the German movement was unusual. The other powers mentioned were creditors of Venezuela, but Germany was not. Neither did she have any special cause for complaint based upon injuries to her people or commerce. The Secretary answered that "if the object of Germany be a united remonstrance to Venezuela against the anarchy and chronic revolutionary condition of that State, or an appeal to honesty in the observance of her engagements, this Government would not object, but would of itself make a similar remonstrance and appeal." On the other hand, if Germany contemplated "forcible demonstration of coercion, by a combination of European states, the United States could not regard it with indifference."

George Perkins Marsh, as well as the American envoys at the capitals of Great Britain, Spain, and Denmark, were directed to seek from the country of accreditation what its intentions were in regard to the German proposal. At the same time, each repre-

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<sup>36</sup> Fish to Colobiano, March 25, 1870, Washington, *To It.*, vol. 7.

<sup>37</sup> Cf. Perkins, *op. cit.*, II, 113-114.

sentative was to "delicately, but decidedly, express the anxiety which the suggestion of the proposition has excited in this Government," and to say that the President hoped that the suggested proposal might not "be carried to the extent of disturbing the sensibilities which would be aroused by a combination of European powers, against one of the Republics of this Continent."<sup>38</sup> Marsh hastened to interview Visconti-Venosta and was told that, so far, no proposals of anything beyond diplomatic action had been made by Germany, and that the Italian representative had been instructed to cooperate with the other powers accredited to Venezuela, to obtain assurance, at least, that there would be no repetition of the offence. Italy thought the proposed diplomatic action would be ineffectual, but German intentions beyond that had not been definitely stated. The Italian minister added that Italy had difficulties with other Spanish American republics. The representations of the Italian government had been treated by some of them in a way that could not be tolerated much longer without a sacrifice of national honor. Unless concessions were made, Italy would be obliged to employ material means to get satisfaction and redress. He wished the President to understand,

that, in the treatment of all questions pending between Italy and the Spanish American States, the maintenance of amicable relations with the United States would be a cardinal feature of the policy of His Majesty's government; that the good offices of the United States would be invoked before resorting to extremities; and that a frank exposition of the motives and purposes of the Italian government to the United States would in any such case precede the employment of measures of coercion.

Marsh maintained that he had "no doubt whatever of the entire frankness and sincerity of these declarations."<sup>39</sup> The German proposal remained a subject of verbal discussion between the Secretary of State and the Italian representative in Washington. From these talks Italy derived an offer for the exercise of American good

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<sup>38</sup> Fish to Marsh, confidential, no. 291, June 2, 1871, Washington, *Inst. GPM*, vol. 3.

<sup>39</sup> Marsh to Fish, no. 356, June 18, 1871, Florence, *ID*, vol. 13.

offices in Caracas in behalf of her claims. This topic will be mentioned again after we consider several other occasions of joint action.

Between 1879 and 1883 a state of war existed between Peru and Bolivia on the one hand and Chile on the other. The causes were boundary disputes and rival claims to the exploitation of nitrate and coastal guano deposits.<sup>40</sup> The State Department anticipated an Anglo-German invitation to join in a mediation between Chile and Peru as a protection to commerce. The United States representative in Berlin was quite definitely told that while the United States was ready to assist in the restoration of peace whenever its good offices might be usefully proffered, the government did not favor any premature effort, or any action in combination with other neutral powers, "which would carry the impression of dictation or coercion in disparagement of belligerent rights." Similar instructions were repeatedly sent to the American envoys in the republics themselves.<sup>41</sup> When the expected proposal came, however, it was from the lips of the Italian chargé d'affaires. "Considering the especial interest of the United States in the matter and the powerful influence which it naturally exerts in the affairs of this continent," he hinted, it was "eminently desirable" that the United States join Great Britain and Italy in instructing their agents at Lima and Santiago to take such steps "as might seem practicable" to induce Peru and Chile to end the war. The Italian was answered that for several months the United States had lost no opportunity to make known to the warring powers "its disposition to extend its good offices in the interest of peace at any time when they could be made use of." No efforts to bring about peace would be spared, but neither could any assurance be given that the United States would act in concert with European nations.<sup>42</sup>

It is true that the United States did not directly intervene in the war, but a number of suggestions as to the expediency and manner of peace was put forth. Italy became aware of some of

<sup>40</sup> Munro, *op. cit.*, pp. 305-308, 335-336.

<sup>41</sup> The Chilean-Peruvian War is discussed in Moore, *Digest*, VI, pp. 34-45, 507-509. The anticipated Anglo-German invitation is treated on p. 34.

<sup>42</sup> Memorandum, August 14, 1880, *From It.*, vol. 8.

these, and about a month after the interview just described, the royal government "expressed its satisfaction" at the offer of American mediation, and voiced hope for success. At the same time, the legation begged communication of any news from the American agents in Santiago and Lima which might interest the Italian government.<sup>43</sup> This favor was promised.<sup>44</sup>

In 1881 the United States again declined concurrent action with Great Britain and, this time, France, in intervening between Peru and Chile.<sup>45</sup> Instead, Mr. William Henry Trescot was commissioned as special envoy with rank of Minister Plenipotentiary to the republics of Chile, Peru, and Bolivia. All communications and negotiations connected with the settlement of difficulties in the peace-making were put under his charge. The task was accomplished not by joint action but by subtle insinuations of possible "displeasure" on the part of the United States.<sup>46</sup>

That same year, 1881, it was reported that the government of Colombia had made overtures to the "Great Powers" of Europe (Great Britain, France, Spain, Germany, and Italy) for a treaty guaranteeing the neutrality of the Isthmus of Panama, and the sovereignty of the United States of Colombia over that territory. The American representatives at each of the "Great Powers"—Italy, one of them—received a general circular instructing them to inform the government of their post that such a treaty was quite superfluous and would be considered an alliance against the United States.<sup>47</sup> Action by these representatives met with "diplomatic reserve."<sup>48</sup>

The United States discouraged European sponsored, concurrent action in the Americas, but displayed a less rigid attitude in a matter of the Orient. Christian nations represented there were generally agreed that concerted, well-planned measures would in

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<sup>43</sup> Comporeale to Evarts, September 16, 1880, New York, *ibid.*

<sup>44</sup> Evarts to Comporeale, personal, September 25, 1880, Washington, *To It.*, vol. 7.

<sup>45</sup> Moore, *Digest*, VI, pp. 507-509.

<sup>46</sup> *Ibid.*, VI, pp. 38-45.

<sup>47</sup> Blaine to Marsh, no. 779, June 24, 1881, and no. 780, June 25, 1881, Washington, *Inst. GPM*, vol. 8.

<sup>48</sup> Perkins, *op. cit.*, II, 91.

the long run prove more beneficial to all concerned than rash, unilateral movements intended to advance the interests of one country alone. Twice within the period of our study, Italy put herself in disfavor by proceeding in a manner judged by the other powers as too independent. Each time the Italian government sought to justify itself by alleging the importance of the silk trade not only to Italian industry but to that of France and other European countries as well.

The first occasion was in 1868. There was civil war in certain parts of Japan and Italy feared that she would be unable to obtain silk-worm eggs in sufficient quantities. Supported diplomatically only by Prussia, the Italian government directed her traders to Niigata, the only port which "offered sure prospect of good speculations in the best qualities of eggs of the silk-worm,"<sup>49</sup> with the assurance that it would be open to them on July 15. Acting on the advice of the British representative, the Japanese authorities blockaded the port before that date. To Italy's chagrin, the American envoy had cooperated with her opponents. The Anglo-American view was, that instead of pushing for Niigata, the powers ought to cooperate in exerting tactful pressure for the opening of Yedo (Tokyo). The Japanese appeared much more amenable in regard to the latter. Still, the Italian efforts were not lost labor. On January 1, 1869, Niigata and Tokyo were both opened to foreign residence.<sup>50</sup>

More serious was Italian action in 1873 when Count Fé d'Ostiani negotiated a separate treaty with Soyeshima, Japanese foreign minister, to the effect that Italy might have access to certain inland areas where the silk-worm might be obtained. In return, Italian subjects, when beyond the treaty ports, would be subject to Japanese jurisdiction. The diplomatic corps in Japan was indignant at this action. It was objected that such an unilateral move would mean the abrogation of extra-territoriality for all the other powers; that the interior was unsafe; that extorting such

<sup>49</sup> Cerruti to Seward, January 23, 1869, and Colobiano to Fish, July 3, 1869, Washington, *From It.*, vol. 5. Seward to Cerruti, February 3, 1869, *To It.*, vol. 7.

<sup>50</sup> Payson J. Treat, *Diplomatic Relations between the United States and Japan, 1853-1895* (Stanford University Press, 1932), I, 326-329, 337.

a concession would hinder more advantageous negotiations for a general agreement in the future. Although the Japanese authorities assured the other diplomats that they could have the same privileges for the same price, feelings were not assuaged. Diplomatic pressure finally induced the Rome government not to ratify the treaty and further offence was thus prevented.<sup>51</sup>

There was considerable discussion as to the origin of the unconsummated Italo-Japanese treaty. The American envoy in Japan, Colonel C. E. Long, reported that Soyeshima said the proposal emanated from the Italian minister. Long added that he felt "great disappointment over the present situation of this matter." In transmitting Long's report to Rome, Secretary Fish included the instruction to Marsh to inquire cautiously whether or not the Italian representative had taken such an "irregular and unprecedented step" on his own initiative and to find out the attitude of his government. Far removed from the scene and uninfluenced by any personal factors that might have aggravated the annoyance of the diplomatic corps in Japan, the Secretary of State could suspend judgment, carefully distinguish between Fé d'Ostiani's boldness and the Italian government, and then state impartially, "This is so great and unusual a concession that it is not easy to believe that it will be acceptable to the Italian government."<sup>52</sup> On May 26, 1873, Marsh reported that it was believed in Rome that the Count had "of his own accord proposed the modifications," as Visconti-Venosta had assured Marsh that Italy "had no intention or desire to act in the matter, except in concurrence with the other Christian Powers."<sup>53</sup> On May 27, 1873, Corti transmitted the Foreign Minister's assurance to the State Department, with the additional comment: "You will see the explanation of the enigma. Probably the difficulty of languages had something to do with the misunderstanding between Our Representatives at Yedo."<sup>54</sup> Two more dispatches on the subject were sent from Visconti-Venosta and transmitted by the Legation on June 14,

<sup>51</sup> The whole question is discussed at length in *ibid.*, I, 505-511.

<sup>52</sup> C. E. Long to Fish, no. 369, March 15, 1873, Yokohama, enclosure to Fish to Marsh, no. 381, April 23, 1873, Washington, *Inst. GPM*, vol. 4.

<sup>53</sup> To Fish, no. 456, Rome, *ID*, vol. 14.

<sup>54</sup> To Davis, May 27, 1873, Boston, *From It.*, vol. 6.



1873. This time a new avenue out of an embarrassing situation was unlocked:

Mr. Visconti adds that Italian interests in Japan only refer to one industry, viz. the preparation, the acquisition and the exportation of silk worm seeds. If to citizens of other States it is sufficient to trade with open ports, to Italian subjects it is of paramount importance to be able to penetrate into the silk provinces in the interior. Already last year some Italians interested in the said industry obtained special licenses to do so, and the success of their ventures increased the desire & even the want of it. This was the origin of the proposals made by the Japanese Government. But no doubt the opinion of the other Governments on this subject would have great weight with the Italian which has now those proposals under its consideration. It appears at all events that if the Italian Government should come to the conclusion to leave to Italian subjects, without making any convention to that effect, entire liberty to avail themselves of the offer made by the Japanese Government, It could not be accused of separating itself from the common action with the other Powers, nor of having in any way prejudiced the important question of jurisdiction.<sup>55</sup>

And again on June 17: "The Italian government . . . is inclined to think that it is not convenient to contract now a formal engagement on the basis proposed by the Japanese Government. . . ."<sup>56</sup> About a week later, Secretary Fish sent to Marsh various papers "in regard to a provisional arrangement proposed by the Japanese Government to the Government of His Majesty the King of Italy."<sup>57</sup> The Department had thus adopted the Italian version of the origin of the *démarche*. It was just as well. Expressing annoyance officially would have served no good purpose since the other Christian powers had already raised objections and the treaty project had been halted. The last of the ill-fated treaty was mentioned by Marsh in 1874. Writing of cooperative action in Japan, Marsh expressed his conviction that Italy was

<sup>55</sup> To Fish, private, Newport, *ibid*.

<sup>56</sup> To Davis, private, Newport, *ibid*.

<sup>57</sup> No. 388, June 25, 1873, Washington, *Inst. GPM*, vol. 4.

not "disposed to encourage separate action on the part of her Minister in Japan. . . . The force of the motives which led to such action by the Minister of Italy in that country on a former occasion is much diminished by the success of the methods of Pasteur and others in combating the disease of the silk-worm in Italy."<sup>58</sup>

Frequent upheavals in Latin America not only gave occasion for concurrent action, but also afforded opportunity for mutual Italo-American support.

Early in 1868 the Italian government sent a naval expedition to relieve the squadron cruising in the South American seas. The force was fitted out so elaborately that George Perkins Marsh was disturbed.<sup>59</sup> The foreign minister calmed his anxiety by explaining that the fleet had been made imposing in the hope that such a display of strength would facilitate negotiations for outstanding Italian claims in Uruguay. There was no thought of a resort to force, or any idea of conquest, or intervention.<sup>60</sup> The State Department not only approved Marsh's inquiry but stated in addition, "A third party can reasonably ask no farther explanation on the subject."<sup>61</sup> Shortly after this episode the Italian legation sought and obtained the exercise of American good offices in the matter of the Plata claims.<sup>62</sup> But not much could be done while *blancos* were shooting *colorados*, Brazil and Argentina intervened at will, and the Uruguayan fighting became merged in that of Paraguay.<sup>63</sup>

In 1862 Francisco Solano López had taken over the reins of the Paraguayan government after the death of his father who had controlled the country for nearly twenty years. The younger

<sup>58</sup> To Fish, no. 515, September 27, 1874, Rome, *ID*, vol. 15.

<sup>59</sup> Marsh to Seward, no. 202, February 2, 1868, Florence, *ID*, vol. 12.

<sup>60</sup> Marsh to Seward, no. 203, February 3, 1868, Florence, *ibid.*

<sup>61</sup> Seward to Marsh, no. 185, February 20, 1868, Washington, *Inst. It.*, vol. 1.

<sup>62</sup> Cerruti to Seward, February 27, 1868, Washington, *From It.*, vol. 4; Seward to Marsh, no. 189, February 28, 1868, Washington, *Inst. It.*, vol. 1.

<sup>63</sup> "*Blancos*" were the "Whites" and "*colorados*," the "Reds"—rival political parties in Uruguay. For Uruguay, cf. Munro, *op. cit.*, pp. 230-239; for Paraguay, *ibid.*, pp. 246-256.

López vigorously protested the Argentine-Brazilian interference against the Uruguayan *blanco* government in 1863. He called it a threat to the balance of power on La Plata. Before long, he was in the affray on the *blanco* side. The war was a brutal, prolonged, bloody affair. Eventually, the *colorado* allies (Brazilians, mainly) occupied Asunción, Paraguay in December, 1868. Both the United States and Italy had agents accredited to López, and both the American legation under Mr. Washburn, and the Italian consulate under Mr. Chapperon, had become a place of refuge for López opponents. After various unpleasant experiences,<sup>64</sup> Washburn had resigned on September 28, 1868, and left the country. The keys of the American legation were entrusted to the Italian consul.

The occupation of Asunción was succeeded by a general sacking of the city. Stores of hides and tobacco belonging to foreigners were plundered and the booty carried on board the men-of-war. Houses were broken open and given to Brazilians and Portuguese. The American legation was completely pillaged. Commercial and naval losses of Italian subjects were very great and on the slightest pretexts, Italians and other foreigners were imprisoned. In the midst of the invasion, Chapperon learned of the arrival of Washburn's successor, Mr. McMahon. The new minister was accredited to López. To Chapperon this put McMahon in the López camp, and accordingly, he "declined further interference in the affairs of the United States," and informed McMahon of his resolution. Not having received an answer, the whole affair was detailed to the Italian legation in Washington and from thence to the Department of State.<sup>65</sup> Meantime, the situation in Paraguay went from bad to worse. López was ambushed and killed in 1870 and the land occupied by Brazil until 1876. Peace terms were finally arbitrated by President Hayes in 1878.<sup>66</sup>

<sup>64</sup> Washburn's difficulties are detailed in Moore, *Digest*, VI, pp. 824-831.

<sup>65</sup> Report of Chapperon to Italian minister at Buenos Aires, Asunción, January 15, 1869, enclosure to Colobiano to Secretary of State, November 10, 1869, Washington, *From It.*, vol. 5; cf. Chapperon to McMahon, July 11, 1869, Asunción, enclosure to McMahon to Fish, November 18, 1869, Washington, *Diplomatic Despatches—Paraguay*, vol. 3.

<sup>66</sup> Munro, *op. cit.*, p. 255.

Civil war continued in Uruguay until 1872. In June of 1870, the Italian government again asked the interposition of American good offices for the satisfaction of Italian claims.<sup>67</sup> No answer was sent back to the legation. Possibly, a verbal response as to the impracticability of the collection sufficed.

As has been mentioned, conversations between the Italian legation and the Department of State on the German proposal of multi-lateral action to compel good government in Venezuela, resulted in an American offer to support Italian claims in that country.<sup>68</sup> When the minister of the United States in Caracas went to consult the Italian chargé d'affaires in the matter, he found him about to embark for Europe. He consequently did nothing further about it.<sup>69</sup> Neither did the Venezuelan government, in spite of more Italian protests over a period of five years. Once again, the Italian legation had recourse to the Secretary of State, who promptly despatched appropriate instructions to the American minister in Caracas and asked for a report of the status of the claims.<sup>70</sup> Mr. Thomas Russell at the Venezuelan capital went directly to Guzman Blanco for a statement of the case and for an explanation of the intended manner of paying the claims.<sup>71</sup>

On October 7, 1868, Italy and Venezuela had signed at Caracas a protocol fixing the amount due from the Venezuelan government to Italian subjects at \$176,594.63. The protocol did not determine the means of payment. The old treaty of commerce between Sardinia and Venezuela guaranteed to Piedmontese subjects the treatment accorded natives of Venezuela, not that of the most favored nation. Now, claims of Venezuelan citizens were to be paid in certificates at one per cent of par. To Italy this appeared unjust because other foreign claims were being honored more generously.<sup>72</sup> Guzman Blanco replied by reviewing the situa-

<sup>67</sup> Corti to Fish, June 2, 1870, Washington, *From It.*, vol. 5.

<sup>68</sup> *Supra*, pp. 135-137. Corti to Davis, November 2, 1871, New York; Corti to Fish, November 16, 1871, Washington, *From It.*, vol. 5; Fish to Corti, Washington, *To It.*, vol. 7.

<sup>69</sup> Related in Fish to Blanc, February 1, 1876, Washington, *To It.*, vol. 7.

<sup>70</sup> Blanc to Fish, January 28, 1876, Washington, *From It.*, vol. 7.

<sup>71</sup> Russell to Fish, no. 124, March 2, 1876, Caracas, *Venezuelan Despatches*, vol. 23.

<sup>72</sup> Blanc to Fish, April 4, 1876, Washington, *From It.*, vol. 7.

tion and adding that no injustice was done to Italy, when compared with other powers, because no other state had a treaty with Venezuela such as Italy had. Mr. Russell appended his personal opinion that these claims would never, or at least not equitably, be paid as long as Guzman Blanco continued to influence the government, "unless such a demonstration is made as will compel payment by fear."<sup>73</sup> The Italian government did not give up hope, however. For a decade after 1872 there was talk at Washington and Caracas of an agreement by which the United States was to supervise the administration of the customs, and turn over to the various claimant governments the amount due to them according to conventions previously made. Eventually, though, Venezuela had to solve her own difficulty in her own way because the long-discussed proposition was never implemented.<sup>74</sup>

The French *débauche* in Mexico in the 1860's and the capture of the "American" ship, *Virginus* by Cuban authorities in 1873 are events of wide notoriety.<sup>75</sup> Less popularly known is the Italo-American support mutually afforded during these times of crisis.

True to her understanding with France, Italy had recognized the imperial government of Mexico.<sup>76</sup> There were even rumors that the Italian government was planning something more tangible than mere diplomatic support,<sup>77</sup> but this did not materialize. When Maximilian was executed, Italy closed her Mexican legation and

<sup>73</sup> Blanco to Russell, May, 1876, enclosure to Russell to Fish, no. 141, May 6, 1876, *Venezuelan Despatches*, vol. 23.

<sup>74</sup> Munro, *op. cit.*, II, 115-117.

<sup>75</sup> James Morton Callahan, *American Foreign Policy in Mexican Relations* (New York: The Macmillan Company, 1932), pp. 278-333; cf. French Ensor Chadwick, *The Relations of the United States and Spain* (New York: Charles Scribner's Sons, 1909), pp. 314-357.

<sup>76</sup> On September 3, 1864, Marsh reported that the newly appointed minister of the Emperor Maximilian had arrived at Turin and been received in audience by the King. To Seward, no. 101, Turin, *ID*, vol. 11.

<sup>77</sup> On May 15, 1865, Marsh reported rumors of a projected alliance of France, Austria, Spain, and Italy for the maintenance of the imperial dynasty in Mexico. To William Hunter, no. 119, Turin, *ID*, vol. 11. On June 5, 1865 (no. 121), he wrote that he had no doubt that Italy would be called on for a military contingent and that public opinion was being prepared for this eventuality. Marsh restated this view in no. 123, June 29, 1865, and no. 133, confidential, March 30, 1866, To Seward, Florence, *ibid.*

entrusted her nationals to the American representative.<sup>78</sup> For two years, the United States fulfilled this charge,<sup>79</sup> until the astute George Bancroft, United States minister at Berlin, successfully mediated the resumption of relations between Italy and the Mexican republic.<sup>80</sup>

The Mexican affair also resulted in the presentation of some Italian claims against the United States for alleged depredations of American troops at Bagdad, Mexico, in 1866. These forces were supposed to have crossed the border in behalf of the Mexican government and raided the town. The United States explained that it was true that a group of American soldiers had taken absence without leave and gone south of the border in aid of the Juarez government. In doing so, they acted as part of Mexican forces, not those of the United States who eventually punished them for their incorrigible action. The American government could, therefore, not assume responsibility for any damages incurred. It was the opinion of the State Department that in-

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<sup>78</sup> Cerruti to Seward, September 15, 1867, and September 27, 1867, Washington, *From It.*, vol. 4; Seward to Cerruti, September 23, 1867, Washington, *To It.*, vol. 6.

<sup>79</sup> Colobiano to Fish, October 29, 1869, and November 23, 1869, Washington, *From It.*, vol. 5.

<sup>80</sup> *Ibid.* Cf. Davis to Bancroft, July 31, 1869, Washington, *Instructions—Berlin*, vol. 5. Here the State Department acknowledged Bancroft's private letter acquainting the Department with the desire of the King of Italy to re-open diplomatic relations with Mexico. Enclosures: Nelson to Fish, July 9, 1869, U. S. legation, Mexico. Mr. Thomas H. Nelson dined with the Mexican President and his cabinet and later discussed Italy's wish with them. The President acceded to the suggestion and thanked for it. Nelson to Lerdo de Tejada, July 8, 1869, Mexico, presented formal request on behalf of Italy, adding—" . . . Italy is free from any of the complications with Mexico, in which some of the others of the nations of the continent have been involved, and . . . her position in Europe secures her influence on the side of Republican government." Tejada to Nelson, July 9, 1869, Department of Foreign Affairs, Mexico—formal acceptance for the resumption of Italo-Mexican relations. Bancroft negotiated through Launay, Italian representative at Berlin, cf. Launay to Bancroft, August 30, 1869, Berlin, enclosure to Bancroft to Fish, private, September 2, 1869, *Prussian Despatches*, vol. 15.

demnification would have to be claimed against the state in whose jurisdiction the losses were sustained.<sup>81</sup>

When, in 1873, the United States, in protest against the ruthless execution of over fifty crewmen and passengers of the *Virginius*, took steps to sever relations with Spain, the Italian envoy in Madrid graciously accepted the charge of the American legation.<sup>82</sup> The United States and Spain came to terms, however, before it was necessary for him to assume the added burden.<sup>83</sup>

Cuba remained in such a state of strife and Spain was so dilatory in doing anything about it, that the United States sent repeated reminders of promises unfulfilled. American action on this point was interpreted abroad as either electioneering or nascent imperialism.<sup>84</sup> Following instructions (which had been also sent to Paris, Berlin, St. Petersburg, and Vienna),<sup>85</sup> Marsh talked it all over with Visconti-Venosta who appeared to understand and to share the American point of view. He offered at once to instruct the Italian minister in Madrid "to take the most favorable opportunity to urge upon Spain the expediency of prompt fulfillment of any promises or engagements she may have entered into with the United States, and of pacifying the population of Cuba by the measures best calculated both to restore the

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<sup>81</sup> Corti to Fish, June 18, 1870, Washington, *From It.*, vol. 5 and November 13, 1872, vol. 6; Fish to Corti, July 16, 1870, and December 9, 1872, Washington, *To It.*, vol. 7.

<sup>82</sup> Telegram, Fish to Gen. D. E. Sickles, November 14, 1873, Washington; Sickles to Count A. Maffei, confidential, November 24, 1873, Madrid; Maffei to Sickles, confidential, November 26, 1873, Madrid; Sickles to Fish, no. 887, November 28, 1873, Madrid, *Spanish Despatches*, vol. 66.

<sup>83</sup> Chadwick, *op. cit.*, p. 344. This author does not mention the friendly role of Italy at this time.

<sup>84</sup> The situation was reviewed in Fish to Marsh, confidential, December 3, 1873; January 13, 1874; no. 424 confidential, April 24, 1874; Washington, *Inst. GPM*, vol. 5; and no. 502, November 15, 1875, *ibid.*, vol. 6.

<sup>85</sup> The instructions were from Fish, no. 503, November 15, 1875, enclosing Fish's famous thirty-eight page despatch no. 266 to Cushing, November 5, 1875, Washington. The American envoys in France, Germany, Russia, Austria, and Italy were to acquaint the foreign office of the country of accreditation with the Cuban situation as described in "no. 266," and to seek good offices in pressuring Spain to establish peace and initiate reform on the island.

peace, tranquillity and prosperity of the island," and simultaneously "to remove the causes of difficulty between the United States and Spain." No specific measures were outlined and Visconti-Venosta alluded to "the somewhat delicate relations" existing between Spain and Italy since the resignation of Amadeo I on February 12, 1873. He adverted, too, to the persistent civil strife in Spain "as to a certain extent explaining, if not excusing," her inaction in Cuba.<sup>86</sup> The other powers solicited were not unfavorable to the United States, but except for Russia who promised the exercise of good offices to avert a conflict between the United States and Cuba (which was not the point in question), they preferred not to take definite action just then.<sup>87</sup> The efforts of the United States to hinder concerted action in the western hemisphere appeared to have back-fired. American protests and Italian good offices produced little effect. Three more years passed before the Caribbean revolt was subdued, only to flare up with greater heat in the future.

The diplomatic papers reveal one further instance of the exercise of good offices by an American consul at an Italian request. The petition concerned a complaint in Zanzibar, 1879. An Italian subject claimed that the ruler of the island had made a contract with him for the manufacture of bricks, but had not lived up to it. Investigation proved the claimant a tavern-frequenting scoundrel of whom the United States consul reported: "I did all I could for Mr. Lucci in an unofficial manner, which was a great deal more than he deserved."<sup>88</sup> Both the American agent at Zanzibar and the Italian consul at Aden whom he had consulted, refused to have anything further to do with the case.<sup>89</sup>

Italo-American experiences in arbitration, joint or concurrent action, and mutual support reveal the general pattern of nineteenth century international relations before imperialistic rivalries had

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<sup>86</sup> Marsh to Fish, no. 585, December 14, 1875, Rome, *ID*, vol. 15.

<sup>87</sup> Chadwick, *op. cit.*, pp. 384-385; cf. Moore, *Digest*, VI, pp. 92-105.

<sup>88</sup> F. W. Seward to Blanc, August 27, 1879, Washington, *To It.*, vol. 7.

<sup>89</sup> William H. Hathorne to Second Assistant Secretary of State, October 15, 1879, Zanzibar, *Consular Despatches—Zanzibar*, vol. 6.

<sup>90</sup> Enclosures to *ibid.*: Hathorne to Italian consul at Aden, Arabia, July 25, 1879, Zanzibar; G. Bienenfeld Rolph to U. S. Consul, Zanzibar, August 4, 1879, Aden.



grown beyond all bounds and the United States had become an active contender for overseas possessions. The relations of the United States and the Italian kingdom with other countries further emphasize that the reputedly isolationist era in American history was actually a time of active cooperation with European powers on five continents, and especially in North Africa. Implementing the Monroe Doctrine meant a reluctance to allow a European power to take the initiative in a western hemispheric problem, but did not constitute a general disregard of the rest of the world. On the contrary, proposals for joint European-American action in areas as diverse as Uruguay, Egypt, Moldavia, and Japan suggest that by the latter half of the nineteenth century the "concert of Europe" had already become the concert of the great western powers.

## CONCLUSION

In bringing to a close this detailed survey of Italian-American diplomatic relations during the critical years in which Italy was made, and the United States reshaped along modern lines, the intention is to recapitulate the main facts of the story, to characterize the type of diplomatic method employed, and to investigate some of the forces which lay at the roots of the foreign policy which determined the diplomacy practiced.

In 1861 Italy regarded the United States as the paragon of liberty and the model of a union peacefully effected. The Civil War was, in general, regarded as an attempt on the part of the South to bring about the very kind of sectional estrangement Italy herself was trying to counteract. The United States, on the other hand, looked at Italy as a country risen from the dead; a land of second spring and fair promise. Aside from this idealism, however, Italy was practically regarded as a friendly, but second-rate power, a state worth courting, but definitely inferior in importance to England or France.

The major concern of the United States regarding Italy during the Civil War was to prevent the recognition of the Confederacy and to obviate the granting of aid and comfort to the enemy. The gravest danger that the Confederacy would secure Italian recognition lay at sea. At first the United States tried to head off the admission of Confederate ships to Italian ports, by a treaty. This procedure floundered, but the Italian government promised that no official act of the government would recognize the Confederacy and an attempt would be made adequately to patrol the ports. Very friendly relations between the United States and the Italian navy were sedulously maintained, services exchanged, and any damages scrupulously investigated. In military matters the United States wished to hinder the use of Italian manpower by the Confederacy, and if possible to secure the services of the Italian General Garibaldi. It is impossible to ascertain the success of the first aim, since the Italians in the Confederate forces may very

well have been composed of long-time residents who had not been naturalized. Both in 1861 and in 1862 Garibaldi was offered a high-ranking position in the Union army. The first proposal was turned down by the General because he felt he could benefit the national cause only as commander-in-chief. After Aspromonte, Garibaldi himself volunteered. Whether the execution of the offer was tactfully declined, revoked, indefinitely postponed, or simply became unnecessary as Ulysses S. Grant came to the fore before Garibaldi had regained health—any one of these conclusions remains an enigma.

Several aspects of the proposal to Garibaldi may be singled out for special stress. First, is the strange willingness of the king of a country united but a few months before to risk the loan of the most influential military leader of the peninsula. True, acceptance was at Garibaldi's discretion, but no prohibition was laid upon him. Somewhat puzzling, too, is the fact that each time Garibaldi was approached he was unfit for immediate service. In 1861 he had only recently recovered from several months' confinement with rheumatism, and so was hardly in shape to cross the ocean in autumn and then lead an army in the varied climates of any of the major battle-areas. In 1862 Garibaldi had a seriously injured ankle in addition to his ordinary complaints. Another unusual feature is the implied confidence that the Yankees would be willing to cooperate with a foreign general against their own countrymen of the States. The official correspondence glossed over these suggestive points. Particularly in the latter half of the war, relations between the Italian legation in Washington and the State Department consisted in great part of appeals of Italians who had somehow or other become enmeshed with the military forces of the United States.

All Italy responded sympathetically to the shocking news of the assassination of President Lincoln, but in Washington a diplomatic tangle almost resulted when an Italian attaché was mistakenly arrested as a suspected accomplice. Paradoxically one of the supposed accomplices was later arrested in Italy, apprehended in Egypt after a dramatic escape and rearrest, brought to trial in the United States, and dismissed.

The great esteem for Italy and the confidence which the Amer-

ican government placed in her were shown in the most important post Civil War diplomatic negotiations, those with Great Britain. In both the mixed commission to examine private claims and in the international tribunal to settle the explosive *Alabama* claims, Italy was represented and the Italian delegate presided. In the matter of the private claims the United States lost on every count, but acquiesced without demur. The *Alabama* claims, on the other hand, were settled to the complete satisfaction of the United States. Claims of Italian subjects for Civil War damages were comparatively few and for small sums. Probably, this is why the claims convention originally projected was never consummated. The imperfection and the disarray of the extant records make it impossible to gather conclusive statistics about these claims.

The United States was still in the difficult aftermath of the Civil War when quite unintentionally the legation of the United States in Italy became involved in more Garibaldian escapades. But no matter how embarrassing contact with the old hero might prove, he kept that peculiar fascination that had intrigued the representatives of the United States from the very start. Other internal Italian problems not taken up in treaty had little substantial influence on American life or policy. Even the Roman Question made slight impression, except for the research involved in the several Italian requests for information as to how the United States had handled the delicate problem of church-state relations. The Philadelphia Centennial of the Declaration of Independence revealed Italy in an inglorious light. The royal government's protest at the functioning of a papal consul was ill-timed; her response to the invitation, ungraciously hesitant; her participation, reciprocally embarrassing. On the other hand, many other international meetings of this period were beneficially attended by each country. The De Rohan claim which wove itself between the more vital diplomatic correspondence of the period revealed one more aspect of American cooperation with Garibaldi, and is currently suggestive of an additional field of research among the records of Garibaldi's American auxiliaries.

Between 1861 and 1882 Italy concluded with the United States a number of postal arrangements, a treaty of commerce and navigation, a trademark convention, two consular conventions

and a supplementary article, and a treaty of extradition. In subject-matter, the agreements were routine; in import, they were symptomatic both of a new rapport and of domestic problems. George Perkins Marsh drafted, negotiated, and signed only the treaty of commerce and navigation. It took seven years to bring the treaty to completion, but its careful preparation and tiresome negotiation were justified by the fact that it remained in effect for seventy years. In urging the consummation of the majority of the other agreements and in proving a trustworthy and competent resort in the problems which preceded and followed their ratification, Marsh manifested his diplomatic finesse. In these instances, rather than in his courting of Garibaldi or his often garrulous reporting, the dean of the diplomatic corps justified his unusually long tenure of office. A convention for the protection of emigrants and a naturalization treaty would have prevented a host of problems, but these two projects were never consummated.

Superficially less vital than treaties that resolved mutual problems, but actually highly explosive, were the relations of Italy and the United States with third powers. Except for the resolution of Civil War damages, the Alpine boundary arbitration, Italian rashness in Japan, and the little affair in Zanzibar, all the Italo-American relations with third powers concerned areas in the dominion of Turkey or in Latin America. In the cases of the Danubian provinces and of Tunis, the United States took the initiative. A protest against Tunisian misrule was dropped on the advice of Marsh, but the persecution of the Jews in Moldavia and Wallachia was the subject of reiterated complaints. In regard to both Egypt and Morocco, commissions were set up to which Italy and the United States belonged. For Egypt, it was a question of finance; for Morocco, of defining extra-territoriality.

With reference to South America, Italy sought the good offices of the United States for the collection of Italian debts in Venezuela and the Plata countries. She also suggested joint action in ending the disturbances in Venezuela and in the Peruvian-Chilean war. The United States was perfectly willing to support the Italian claims, but frowned upon concurrent action whether in South America or in the case of a rumored multilateral treaty for the

protection of the Isthmus of Panama. In Mexico, the United States managed Italian diplomatic business between 1867 and 1869, and acted as intermediary in the resumption of relations between the two powers. Italy aided the United States in Caribbean affairs by serving as arbitrator on the Costa Rica claims commission as well as on the Spanish American board dealing with losses in Cuba. Again, after the *Virginus* atrocity at the hands of Cuba, it was Italy to whom the United States turned for a trustworthy agent in Spain. In 1875 when the United States attempted some kind of multi-partite action in her own behalf, Italy alone responded with the kind of offer to use her good offices in Spain which the State Department had hoped to elicit from each of the other governments addressed. Only in Japan did Italy attempt to pursue an independent course. She thereby annoyed the other powers, but fortunately, diplomatic action behind scenes prevented disastrous consequences, and words of Secretary Seward uttered years before remained applicable with full force: "We shall be the friend of Italy, and Italy, we are sure, cannot be otherwise than friendly to us, no matter what treaty relations exist or fail to be made."<sup>1</sup>

In technique, Italo-American diplomatic relations, 1861-1882, exemplify what Harold Nicolson has described<sup>2</sup> as the "old diplomacy," or the "French method"; i.e., the theory and practice of international negotiation as begun by France in the seventeenth century and used by European countries and later by the United States, to the end of the first world war. According to the "old diplomacy," Europe was the most important continent in world affairs. Even the United States tacitly recognized the fact. The "Great Powers" acted in concert, giving the final decision on matters of general war or peace, and feeling a common responsibility for the "Small Powers." In the period of our study, this was the mode of action in regard to Latin America, North Africa, Japan, Moldavia and Wallachia, although the United States discountenanced uninvited "interference" on the western hemisphere.

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<sup>1</sup> Seward to Marsh, no. 18, September 20, 1861, Washington, *Inst. It.*, vol. 1.

<sup>2</sup> *The Evolution of Diplomatic Method* (New York: The Macmillan Company, 1954), pp. 72-75.

Each year the force of public opinion was more definitely felt, but a separate study is required to show its impact in any adequate way.<sup>3</sup> The notations in the official correspondence are far too disparate. Yet, it will be recalled how Marsh delayed in England en route to Italy; and Cluseret in Paris, on the way to America, both to try to counteract hostile journalism. Sanford's negotiations with Garibaldi failed, to a certain extent, because of unfavorable newspaper publicity.

In line with the "old diplomacy," most Italo-American relations were carried out by skilled diplomats like Seward, Marsh, Visconti-Venosta, Corti, and Blanc, who had a common standard of international conduct and who cherished similar fundamental values. Their relations were marked by courtesy, dignity, and good faith. They weighed the realities of existing power and understood that diplomacy is a continuous process of negotiation and compromise. They knew that much of the success of this process depended on its remaining confidential and, at times, informal. Finally, the Italo-American agents of the "old diplomacy" were not in a hurry. Negotiations of a treaty, for instance, occasionally took months and even years. If the discussion reached an impasse, it was temporarily dropped. Neither country felt that such a break meant that the cause was lost, although in the instances of the naturalization and of the emigration treaties, the suspension of negotiations turned out to be permanent. Agreements made thus carefully and slowly were neither improvisations nor empty formulas, but well-drafted documents, such as Marsh's commercial treaty, which stood the test of time.

As a particularly able representative of the old school of diplomacy, George Perkins Marsh merits special comment. Without exaggeration, it can be said that his long career as minister of the United States to Italy gave a permanent orientation to American-Italian relations—a line of action based on mutual sympathy, trust, and friendship. Marsh's character, even its defects, contributed to this end. Marsh was a confirmed Italianist.

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<sup>3</sup> This study would have to include Italian public opinion also, perhaps somewhat along the lines of Dr. Marraro's work on an earlier period. Cf. Howard R. Marraro, *American Opinion on the Unification of Italy* (New York: Columbia University Press, 1932).

He loved the country of Italy, and appreciated its culture even while he manifested disgust at what he felt were evidences of superstition. His very anti-Catholicism encouraged officials who looked askance at the papacy, to place their confidence in him. The puritanical "godliness" of his character and the *savoir faire* acquired by previous diplomatic experience won respect that Marsh used well to promote the interests of his country, especially during the period of the Civil War. On his part, Marsh had at the outset a remarkable confidence in the new Italian government. His optimism was based on his faith in the liberal-conservative politicians represented in the early years of his incumbency by that friend and kindred soul, Baron Bettino Ricasoli. Marsh's hopes for Italy were likewise grounded on his messianic republicanism and his sense of vision. Both of these qualities built up in his mind during his early years at his post, a new Italy, united, constitutional, free, secular, and prosperous, a thriving land in a strategic location. The vision, however, was gradually dimmed. Early dependence on France, then mediocre administration, poverty, general lawlessness (largely a result of mischievous papal antagonism, in Marsh's view), and lastly, thwarted imperialism when France occupied Tunis—all these factors so dampened the one-time enthusiasm of the American minister that shortly before his death he expressed in two official despatches the opinion that in all his long experience he had "never seen the political horizon of Europe in so disturbed and so menacing a state."<sup>4</sup> He was fearful that the United States might become involved in the growing continental complications, just as had been the fate of Italy. Marsh was spared the sight of the realization of this dread.

Quite suddenly on a summer morning, July 24, 1882, while on vacation high up in the mountains at Vallombrosa, Tuscany, the scholarly octogenarian died. The remains were sent to Rome and at the railway station there were met by the diplomatic corps, a large delegation of royal, parliamentary, and municipal officials,

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<sup>4</sup>To Frelinghuysen, no. 1016, January 30, 1882, and in no. 1015, January 10, 1882, Rome, *ID*, vol. 19: ". . . In my long political experience I have seen no crisis in the public affairs of Europe which seemed to me to threaten more serious evils to the cause of modern civilization than the complications which present themselves at the beginning of the present year."



the consul-general and vice-consul-general of the United States, and a number of Americans and friends of the family. A regiment of lancers was in attendance. A squadron of it led and a battalion closed the procession to the cemetery on the opposite side of the city where the body was temporarily placed in a vault. All the leading journals of Italy published eulogies on Marsh and his distinguished career. The secretary of the legation reported that "the King and Queen both telegraphed to Mrs. Marsh their participation in her sorrow, the telegram of His Majesty expressing with much feeling his sympathy for her and his high appreciation of the eminent character of the late Minister of the United States who for twenty-one years shed lustre upon his Court."<sup>5</sup> The Italian legation sent its sympathy on the "loss of the eminent scholar and diplomatist who for so many years has most worthily represented his country, and fostered the close friendship which happily exists between Italy and the United States."<sup>6</sup> And from the Secretary of State came the tribute: "To the country, and especially to this Department, the death of an officer of such large experience and of such varied and high attainments is a loss not to be repaired." Mr. Marsh had been admired and respected "not only for his scholarly attainments, but also as an exemplary citizen and a faithful and able public servant."<sup>7</sup>

In Italian-American relations, George Perkins Marsh represented not only ability, integrity, and finesse; but his long incumbency was a factor of continuity and stability in mutual policy. His passing marked the close of a definite period as far as the United States legation in Italy was concerned. The next twenty-one years saw seven American representatives succeed each other in Rome. Most of them were experienced lawyers and writers, but none had the prestige and influence of Marsh. On the other hand, the confidence and stamina which long tenure in the same diplomatic position had given to Marsh was in a sense inherited by his counterpart in the Italian legation in Washington, Baron Xavier Fava, who served from 1881 to 1901 prolonging the traditions of the "old diplomacy" in Italian-American relations.

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<sup>5</sup> Wurts to Frelinghuysen, no. 1033, July 30, 1882, Rome, *ibid.*

<sup>6</sup> Fava to Frelinghuysen, July 25, 1882, Pittsfield, Mass., *From It.*, vol. 9.

<sup>7</sup> Frelinghuysen to Wurts, no. 832, July 26, 1882, *Inst. GPM*, vol. 9.

The foreign policy implemented by Italo-American diplomacy from 1861 to 1882 was necessarily friendly. The military alliance systems that would eventually divide the continent were then just in the process of formation. Each country had critical domestic issues which ruled out, at least for the present, international adventures of too hazardous a nature. American energies were directed to Reconstruction, big business, and homesteading; while in Italy, one of the most determining factors in the conduct of foreign relations was the ever-present need to replenish the royal treasury. The country could not afford becoming entangled in the American Civil War, in the Mexican fiasco and other Latin American imbroglios, or even in rapid aggression in North Africa. Every *centesimo* counted, with nothing to spare—not even to pay for the transportation of the Italian display for the Philadelphia Centennial Exhibition, or to overlook the customs-duty on the silver sent to Count Sclopis. This was Quintino Sella's policy of "economy to the bone," as he expressed it.<sup>8</sup> The suppression of religious houses and the anxiety to sell quickly the confiscated property, repeated protests about the high American tariffs on imported art works, the eagerness to collect outstanding Italian debts in Latin America, the bold, unilateral action in Japan—all of these actions were direct results of Italy's continued financial plight.

In addition to economic need, a more subtle force influenced certain aspects of Italian-American relations. Negotiations for a naturalization treaty brought into the open some points of friction traceable to important differences in the political philosophy that lay behind the foreign policy of each government. Both American and Italian officials of the later nineteenth century subscribed to a "liberalism" which sometimes meant one thing, sometimes another, but which usually included ideas of personal liberty and of generous broadmindedness. When Italy raised objections to some of the clauses of the proposed naturalization treaty, Secretary Seward manifested surprise that so "liberal" a government

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<sup>8</sup> "Le economie sino all'osso" was the program presented to the Chamber of Deputies by the Minister of Finance on March 10-11, 1870. Cf. Cilibrizzi, *op. cit.*, I, 564.

could be so insistent upon the application of Italian law to returned emigrants. On the other hand, when the Italian government showed consideration for Americans in matters of taxation, this bounty was interpreted as evidence of a "liberal" spirit. As far as the diplomatic records disclose, the contradictions apparent in such Italian action were simply not probed. Official correspondence dealt only with open manifestations of mutual problems and their immediate causes. Deeper analysis would have shown that Italy was being entirely consistent. The royal government was in both cases applying the Mancinian principle of nationalities,<sup>9</sup> according to which international law was the law of nations rather than of states. Following this principle, not only was every nation to be a state, but all the nations were to be equal, free of interference from one another, and united in some kind of juridical organization capable of settling disputes and eliminating injustice in a peaceful way. Derived from these ideas were Mancini's concepts of private international law. With reference to recognition abroad, Mancini divided private law into "necessary law" and "voluntary law." Necessary private law was made up, in general, of legal rules on the status of individuals, the capacity of persons, and successions—topics strictly familial. Questions of necessary private law were to be determined in every country by the provision of the national law of the individual concerned; that is, by the provisions of the law of the state of which he was a citizen. Naturalization in the United States could not take away "nationality" as an Italian; hence the returned emigrant, even if he came back just for a visit, could not claim United States citizenship as a basis for exemption from requirements of Italian law. Negotiations for a naturalization treaty, it may now be seen, came to a stalemate not because of a difference in state practice, but because of an Italian conception of international law derived like that of the United States from Grotius through Vattel, but with Vico's ideas of a nation added, then adapted and applied by

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<sup>9</sup> Mancini's major discourses on the subject of nationality are collected in Pasquale Stanislao Mancini, *Saggi sulla nazionalità* (Sestante, 1944). For a brief and clear summation, cf. Angela Piero Sereni, *The Italian Conception of International Law* (New York: Columbia University Press, 1943), pp. 160-172.

Mancini.<sup>10</sup> Similarly, leniency of the Italian government as far as the taxation of native American citizens was concerned, had deeper roots than a mere "liberal policy."

To Mancini, voluntary private law governed matters which did not involve the particular characteristics of the nation as molded by natural, familial factors. Voluntary private law affected only private interests, such as contracts. Every state should leave the contracting parties free to choose which law should govern their relationships in this sphere. It is possible that the "liberal" Italian government acted on this principle when granting permission to Italian merchants to trade as they would with the Japanese—a concession which led to the most serious differences between Italy and the United States between 1861 and 1882.

The Japanese incident suggests other, more pragmatic, questions. What causes, other than fear of subsequent loss of officially granted privileges, truncated the Italo-Japanese treaty ratifications? What monopolies were thought to be at stake? Could fear of the potentialities of a future strong Italian navy have entered into the considerations? On a different scene, what influence did the bad feeling between the American consul, Vidal, and his colleagues in Tripoli have on the quiet burying of the proposal that the United States secure a foothold in North Africa? Queries of this kind await research in European archives.

The survey of diplomatic relations between the United States and Italy in the brief chronological period covered in this study calls for a sequel and perhaps more than one. When the course of these relations has been completely charted and the full chronicle over a greater time span has been placed in the general scheme of the foreign policy of each country, the events covered in this work can be placed in proper perspective and be more fruitfully analyzed.

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<sup>10</sup> *Ibid.* In 1851 Mancini accepted the chair of international and maritime law at the University of Turin. In his inaugural lecture, "Della nazionalità come fondamento del diritto delle genti," he extolled the "miraculous intellect" of Vico in which had germinated that "great and most fertile concept," a new principle for the natural law of nations, "l'umanità delle nazioni." (Cf. *ibid.*, pp. 18-21.) The editor of *Saggi...* Flavio Lopez de Oñate, regarded as far-fetched and erroneous Mancini's implication that the new science envisioned by Vico was that of international law. (*Ibid.*, p. xxviii.)

## APPENDIX

### THE MARSH DESPATCHES AND SOME ASPECTS OF THE RISORGIMENTO DENOUEMENT

The ten bulky volumes of the George Perkins Marsh despatches contain much more than the record of two decades of Italo-American relations. These full and lengthy reports show the later days of the Risorgimento and delineate the characters of prominent Italian contemporaries in a clear and fresh pattern. The Marsh accounts of Italy as he saw it were sometimes acknowledged gratefully by the State Department as luminous expositions of affairs of the day, but most often were received without comment and exerted little apparent influence on official policy. To have obtruded the Diplomat's views at frequent junctures in a simple survey of Italo-American relations would have served only confusion and obscurity. Yet, the opinions of George Perkins Marsh cannot be completely ignored. They are the concepts of the man who to a great extent shaped early American policy toward the newly-united kingdom. Marsh's perspicacious comments and long political essays on historic happenings are highly interesting and sometimes prophetic, even when based on false premises, as they occasionally were in political matters, and always were when he discussed the Catholic Church. The observations of Mr. Marsh remain of lasting importance also as examples of the political reporting of one regarded, just as George Bancroft was, as a paragon of the American diplomat.

The hero of the Marsh reports was Giuseppe Garibaldi; the *bête noire*, Napoleon III. It was the Emperor of the French whom the Diplomat blamed for keeping Italy in a state of quasi-vassalage,<sup>1</sup> for preventing a

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<sup>1</sup> Many references could be cited to illustrate this view. The following are offered as samples:

"In fact, the moral conquest, or more properly the fascination, of the king and his leading advisers by the magic of the Empire is so complete, that they may be regarded as ready to submit to any humiliation which Napoleon III may choose to inflict upon them. So far as they are concerned, he may, on all occasions, dictate his terms as arrogantly and as regardlessly of the honor and the interests of Italy as he did at Villafranca, and he need be, and probably is, restrained from the immediate avowal of his ambitious designs, by nothing but his fear of the jealousy of other Powers, and of the strength of popular sentiment in Italy and out of it." Marsh to Seward, no. 102, confidential, September 19, 1864, Turin, *ID*, vol. 11.

"The policy of Napoleon, then, is to cripple Italy as a nation." Clay to Seward, no. 194, October 28, 1867, Florence, *ID*, vol. 12.

speedy and more advantageous solution of the Roman Question,<sup>2</sup> for shackling Italy with an inheritance of militarism which was an unnecessary and senseless waste.<sup>3</sup> In the hands of Cavour, the pro-French policy might

"One excellent effect of the course of Marshal MacMahon's government has been to unite all patriotic Italians in a strong feeling of nationality, and to give the final deathblow to what survived of a party not long since highly influential in this country, whose organs and representative men were never weary of heaping adulation on the rulers and people of France—a country where it is not extravagant to say that Italy never had a friend—who, in a spirit of servile deference to that power adopted and pursued a policy dictated by it, and whose only political ambition seemed to be to make Italy practically, if not legally, the nineteenth department of France." Marsh to Evarts, no. 713, November 2, 1877, Rome, *ID*, vol. 16.

<sup>2</sup> "The Italian government has long hesitated in the adoption of a decided policy and in fact it has been so constantly in the habit of blindly following the dictation of the Emperor of France in the conduct of all its foreign relations without attempting to mark out a policy for itself, that since the downfall of the Empire silenced its oracle, the Ministry has been completely bewildered and quite unable to arrive at a conclusion upon any subject until forced by the fear of popular violence to decide upon the military occupation of the papal territory.

"Its future course in this matter unless controlled by external forces will be characterized by vacillation, tergiversation and duplicity, as it has always been since 1864 and I see no reason to hope that any measures originated by this or any probably future Cabinet will tend to settle the question upon any terms which ought to be acceptable to the Italian people." Marsh to Fish, no. 303, September 12, 1870, Florence, *ID*, vol. 13.

<sup>3</sup> ". . . The spirit of militarism, which the Napoleonic dynasty has left as its dying curse to the European continent, may induce Parliament to vote appropriations which the nation cannot meet. Hitherto, money has been voted, without stint, and almost without opposition, for the army and the navy, and it is hardly an exaggeration to say that, practically Italy has been treated as existing for its soldiery and its fleet, not they for the country . . . Italy has no enemies, present or prospective, unless provoked by her own imprudence, without her own borders. . . ." Marsh continued his remarks to the effect that the Italian military build-up was "certainly a gratifying proof of national energy and skill" but that nevertheless "the misdirection of her powers" was "greatly to be deplored." Marsh to Evarts, no. 867, February 17, 1880, Rome, *ID*, vol. 18.

"The new large vessels of the Italian navy appear to have met with good success and this success has produced a certain elation in the public feeling, which I think is to be regretted, because it may plunge Italy into a maritime war, not only with Turkey but with other Mediterranean powers. . . .

"I believe peace to be a necessity to the continued existence of this

have succeeded. It was beyond the competency of such of his successors as General Alfonso La Marmora.<sup>4</sup> This soldier had functioned both as commander-in-chief of the Italian Army and as minister of foreign affairs during the Austro-Prussian War. Marsh said that La Marmora was not only largely responsible for the military disasters incurred during the war, but that even his civil administration was incredibly inept.<sup>5</sup>

Quite the contrary was La Marmora's rival as leader of the post-Cavour liberal-conservative party, Baron Bettino Ricasoli. Here was the right man in the right place.<sup>6</sup> Here was the wise statesman who, in the peace of 1866, had argued for all the Italian Tyrol and may very well have succeeded, but for Napoleon III.<sup>7</sup> Here was "the steadfast and outspoken friend of the

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Kingdom, and can not perceive that there is anything in the relations of Italy with foreign powers to, in the least, necessitate a recourse to arms and I hope such a crisis may be avoided." Marsh to Evarts, no. 932, January 3, 1881, Rome, *ID*, vol. 18.

<sup>4</sup> "The wisdom of Count Cavour's policy in forming and maintaining, the Franco-Italian alliance is beyond question; only in the hands of another man, who has succeeded that great statesman, has it degenerated into a certain subserviency to the imperial will." Clay to Seward, no. 153, August 13, 1866, Florence, *ID*, vol. 11. The despatches of Green Clay and of George Wurts, secretaries of the American legation in Italy, faithfully reflect the ideas of George Perkins Marsh.

<sup>5</sup> "Knowing General La Marmora's rash and thoughtless impetuosity of temper and his incapacity for intellectual combination of any sort, I can readily believe that he has been guilty of any conceivable military imprudence, and nothing that I have seen in Italian political life has surprised me more than the patience with which the nation has borne the entrusting of such important civil and military posts to a person who has given so little evidence of capacity to discharge the duties belonging to them.

"His present official position in both services is due mainly to his aristocratic birth and to the influence of the Emperor of France of which sovereign he is a devoted admirer." Marsh to Seward, no. 146, confidential, July 11, 1866, Florence, *ID*, vol. 11.

<sup>6</sup> "No man deserves or enjoys the confidence of the Italian people in a higher degree than Ricasoli. . . ." Marsh to Seward, no. 105, confidential, September 27, 1864, *ID*, vol. 11.

" . . . In the expected change of the Ministry, there is every reason to believe that Baron Ricasoli—eminently the right man in the right place—will be President of the Council and Minister of Foreign Affairs." Marsh to Seward, no. 137, April 30, 1866, Florence, *ID*, vol. 11.

<sup>7</sup> "Thus far Ricasoli seems inflexible in insisting on all that part of the Tyrol which can fairly be called Italian, and the annexation of so much at least, is evidently as obvious a necessity to Italy as the acquisition of any territory whatever. I trust he may carry his point, and if he succeeds, it

cause of the Federal Government," the statesman who would have been the ideal arbitrator for the Geneva Tribunal.<sup>8</sup> Nonetheless, Marsh could see Ricasoli's weak points and did not hesitate to remark in that gentleman's obituary notice in 1880 that Ricasoli had been a man more able to resist evils than to initiate a new policy of his own.<sup>9</sup>

Marsh placed his trust in the future of Italy not only in the Cavour-Ricasoli school of politicians, but also in the ability of the monarch, Victor Emmanuel II. The personal friendship which existed between the King and the Diplomat is only suggested in the official reports where Marsh quite frankly notes palace gossip of royal foibles in addition to His Majesty's more worthy accomplishments.<sup>10</sup> Marsh records faithfully, too, the trends in the popularity of the monarchy. In general, the curve of royal favor traces a rising line, although during all the first decade of the history of

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will be a most remarkable triumph of simple, straightforward moral force over diplomacy, intrigue, political jealousy and national animosity. In that case, Italy may well boast that the wisdom, virtue, and firmness of her great national statesman has compensated the mortifications which the subservience of Gallicized politicians to foreign dictation, and the imbecility of her general [La Marmora] and her admiral in chief [Persano] have brought upon her." Marsh to Seward, no. 150, confidential, July 31, 1866, Florence, *ID*, vol. 11. Years later, when Irredentism was growing strident, Marsh recalled the facts of 1866:

"There is . . . no doubt that what is somewhat vaguely called the *Trentino*, embracing the territory drained by affluents of the Lago di Garda and by the Adige, is geographically, ethnologically and historically, as thoroughly Italian as any portion of the basin of the Po, and that its possession is essential to the reasonable military security of the kingdom. This entire district was upon the point of falling into the hands of the Italian troops in 1866, and but for the equivocal friendship and ill-timed intervention of Napoleon III, would doubtless have been permanently secured to Italy by the peace with Austria." Marsh to Evarts, no. 777, July 23, 1878, Rome, *ID*, vol. 17.

<sup>8</sup> Marsh to Fish, no. 353, confidential, June 12, 1871, Florence, *ID*, vol. 13. Cf. Marsh to Evarts, no. 922, October 25, 1880, *ID*, vol. 18.

<sup>9</sup> *Ibid.* (no. 922).

<sup>10</sup> Lowenthal, *op. cit.*, p. 458. Cf. Marsh to Evarts, no. 299, confidential, August 26, 1870, Florence, *ID*, vol. 13; Wurts to Fish, confidential, November 17, 1869, Florence, *ID*, vol. 12; "The late sovereign, by his firmness and fidelity in adhering under circumstances of peculiar difficulty, to the political principles promulgated, and the popular institutions established, by his father, had come to be regarded as the most conspicuous champion of constitutional liberty in Europe. . . ." Marsh to Evarts, no. 728, January 14, 1878, *ID*, vol. 17.



united Italy, republicanism was a force to be reckoned with.<sup>11</sup> By the time of the death of Victor Emmanuel II in 1878, Marsh felt that the dynasty had been proved and found capable and popular.<sup>12</sup> He expressed his respect

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<sup>11</sup> "The death of the French emperor, or any threatening insurrectionary movement in France, would be the signal of an uprising in Italy which might end in the overthrow of the present dynasty and the adoption of a republican form of government. . . . Royalty . . . as represented by Victor Emmanuel and his sons, has little moral strength in Italy, and if the king maintains his throne after a political revolution, he will owe his safety to the support of foreign powers and influences." Marsh to Seward, no. 174, confidential, April 10, 1867, Florence, *ID*, vol. 11. Cf. Marsh to Fish, no. 245, April 6, 1869, Florence, *ID*, vol. 12.

"In the event of the downfall of the French Empire and the establishment of the Republican Government in France, I have very little doubt a serious effort will be made to overthrow the monarchy in Italy. It is difficult to judge at present whether such an attempt will succeed." Marsh to Fish, no. 299, confidential, August 26, 1870, Florence, *ID*, vol. 13.

But on March 23, 1874, Victor Emmanuel II observed the twenty-fifth anniversary of his accession to the throne of Italy, and Marsh recorded: "There was a more than usual manifestation of feeling among all parties, and the evidence of the personal popularity of His Majesty, and of general satisfaction with the administration of his government, was as strong as ceremonial assurances, accompanied with every token of real sincerity could make it." Marsh to Fish, no. 489, March 24, 1874, Rome, *ID*, vol. 15.

<sup>12</sup> "The sudden removal of a Sovereign whose reign embraced the entire political history of his Kingdom, and who had personally done so much to promote the realization of the national hope of centuries, in the constitution of a united Italy, cannot fail to produce a profound impression on the mind of the people, which, I trust, will be found to strengthen rather than weaken the ties which now bind so closely together political communities long unhappily put asunder." Marsh to Evarts, no. 726, January 9, 1878, *ID*, vol. 17.

". . . Almost every citizen seems to feel the loss as, in a sense, his own, and is striving to manifest in some way his participation in the general grief of the nation. Crowds of Italians of every class, including very many to whom the journey involves serious sacrifices, are hastening to Rome from the remoter as well as from the nearer provinces, to pay a last homage to the royal remains now lying in state at the palace of the Quirinal, and in every municipality subscriptions are opened and rapidly filled by contributions to a monument to the departed king, either at the capital or in a provincial city." Marsh to Evarts, no. 728, January 14, 1878, *ID*, vol. 17. After describing the pomp and circumstance of the funeral, the diplomat marvelled that "during this whole period the city has been

for and confidence in the leadership of Humbert I.<sup>13</sup>

In the shaky first decade of Italian unity Marsh recognized Mazzinism as a particular threat. It was not that Mazzini himself was at the root of the upheavals that periodically erupted—Marsh was quick to exonerate the Prophet from the blame often imputed to him—the dangerous fact was the republican madness for which his name had now become a symbol.<sup>14</sup> Still, by the time of Mazzini's death, in 1872, with Rome acquired, and prosperous hopes high, Marsh acted as though Mazzini was no longer of much influence in Italy. He made not a single reference to "*Il Santo's*" passing.

The Church, on the other hand, never lost its evil potency in Marsh's mind. The Syllabus of 1864 and the Vatican Council were dangerous pre-

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crowded and the streets encumbered to a degree not witnessed before within the memory of man." Marsh to Evarts, no. 730, January 20, 1878, Rome, *ID*, vol. 17.

<sup>13</sup> Marsh presented his credentials to Humbert I on February 25, 1878. Afterwards, he reported: "His Majesty conversed some time with me, alluding to the present disturbed condition of many European States, as well as to the difficulties with which Italy has yet to contend, and showed an attentive observation and an intelligent appreciation of the political state of Europe, which produced on me a very favorable impression as to His Majesty's abilities, his aims and his attachment to the principles of constitutional government. . . . I am happy to say that all who have been brought in contact with the new incumbent of the throne, appear to have formed a high estimate of his knowledge of the condition and needs of his people, as well as of the relations of Italy with foreign nations, and of the powers and duties which devolve on him as a king." Marsh to Evarts, no. 742, March 4, 1878, Rome, *ID*, vol. 17.

<sup>14</sup> In 1862 Marsh wrote of "the recent absurd and criminal movements" in Lombardy as public disturbances probably fomented by "the deluded victims of Mazzini's madness." Marsh to Seward, no. 47, May 27, 1862, Turin, *ID*, vol. 10.

After the September Convention, Marsh reported: "The partisans of the late ministry have charged the disturbances upon the republicans, the Mazzinists, the party of action. These charges, I am fully convinced, are a groundless slander. Not a particle of evidence has yet been adduced to support them, though it is possible enough that testimony may be manufactured for the purpose." Marsh to Seward, no. 108, confidential, October 25, 1864, Florence, *ID*, vol. 11.

For similar instances, cf. Clay to Seward, no. 163, September 24, 1866, Florence, *ID*, vol. 11; Marsh to Fish, no. 247, April 27, 1869, Florence, *ID*, vol. 12; Marsh to Fish, no. 287, May 20, 1870, Florence, *ID*, vol. 13.

tensions;<sup>15</sup> the Law of Guarantees, a mistake—no concessions should have

<sup>15</sup> Marsh felt that the result of the September Convention would be to renew the agitation for the solution of the Roman Question. He felt, too, that it was fortuitous that the encyclical, *Quanta Cura*, and the Syllabus of Errors of December 8, 1864, had followed soon after the Convention. "Happily for the interests of Italian liberty," he wrote, "the recent encyclical letter of Pope Pius IX is likely to frustrate the various schemes of conciliation which have been dreamed of, as effectually as the madness of our own Southern pro-slavery politicians has dispelled the visions of a new compromise between the spirit of slavery and the spirit of freedom in our own commonwealth." Marsh to Seward, no. 111, January 16, 1865, Turin, *ID*, vol. 11.

Many years later Marsh again detailed "the incongruities and inconveniences of the anomalous position in which the general sovereignty of the State and the still higher sovereignty of the Papacy, admitted by the terms of the Law of the Guarantees, are placed towards each other. The Syllabus of 1864, having been promulgated before the enactment of that law, was notice to all the world of the extent of the inalienable rights claimed by the Papacy, and it is not a violent stretch of Vatican logic to maintain that in spite of its protests the Law in question is legally a recognition of those claims." Marsh to Evarts, no. 673, May 26, 1877, Rome, *ID*, vol. 16.

Marsh devoted two long despatches to the Vatican Council. In no. 257, August 7, 1869, to Fish, Florence, *ID*, vol. 12, he outlined:

"The chief objects which prompted the Pope to summon the council are these:

"*First*, the gratification of the personal ambition of Pius IX by declaring the infallibility of the church to rest in the pontiff, and not in councils, or any other jurisdiction general or special;

"*Secondly*, to define the right of the Pope to temporal sovereignty over all the states claimed by him as a dogma of the church;

"*Thirdly*, to demand the restoration of the ecclesiastical courts, with exclusive jurisdiction of all matters affecting the interests of the church or of any of its clergy;

"*Fourthly*, a general endorsement of the Encyclical and Syllabus of 1864.

"The affirmation of any or all of these points by the council would still further weaken the influence of the Romish see in Italy, and I do not believe the more influential members of the council will be found to be rash enough to encourage the discussion of them."

After the Council had assembled, Marsh again discoursed to Fish (no. 276, confidential, January 10, 1870, Florence, *ID*, vol. 13): ". . . It has become apparent that a strenuous, and very possibly a successful effort will be made to establish, with the sanction of the Council, doctrines most dangerous to the political interests of the continental States. . . ." He could only trust that the ministry in power would "resist all attacks, direct or indirect, upon the political and civil institutions of the Kingdom."

been offered to the Vatican,<sup>16</sup> The death of Pius IX, awaited by some persons as a long-delayed political blessing, was to Marsh no indication of a change for the better.<sup>17</sup> And the early hopes for Leo XIII had collapsed within two weeks.<sup>18</sup> The outrage on the occasion of the transportation of the

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<sup>16</sup> "At the time of the occupation of Rome by the Royal troops, the Italian Government had the decision of the whole question of its relations to the Papacy in its own hands, and I know it was the opinion of some of the ablest and staunchest adherents of the Papacy that it was the duty of the Government to make no concessions whatever to the Vatican, but to deprive it of all its means of offence, both material and moral, and to assert and maintain its own complete and exclusive sovereignty over all persons and institutions within its limits. I had not at the time and have not now, the slightest doubt that Italy could have done this without the least fear of resistance from the Italian people or of interference on the part of Foreign Governments, but the Ministry of that time had been trained to implicit obedience to the will of Napoleon III, and had never risen to the conception of a truly independent Italy. They, therefore, pursued a policy of humiliating submission to the old influences; and by what is called the *Law of the Guarantees* virtually abdicated the national sovereignty and acknowledged the supremacy of the Papal power." Marsh to Frelinghuysen, no. 1010, confidential, December 21, 1881, Rome, *ID*, vol. 19.

<sup>17</sup> In 1864, Marsh spoke of the death of Pius IX as "probably a near event." Marsh to Seward, no. 87, March 21, 1864, Turin, *ID*, vol. 11. The Pope was then about 72 years old. Yet thirteen years later, he could relate again: "The death of Pius IX and the election of his successor, events almost hourly expected, are looked to as probably fraught with important changes in the attitude of the Papacy towards Italy and in the general policy of the Church. For this expectation, I see no ground, though the Roman Curia is at all times so shrouded in mystery, that the purposes of those who administer it are very rarely foreshadowed, and no positive prediction can ever be hazarded concerning it, beyond the general presumption that its future will be like its past." Marsh to Evarts, no. 673, May 26, 1877, Rome, *ID*, vol. 16.

Pius IX died on February 7, 1878. The next day Marsh wrote to the State Department that "the death of the Pope had produced no popular or other public excitement, partly, no doubt, because the event had been long expected, but much more because . . . the institution has lost its regal position, and the Roman See and the life or death of its incumbent have, strictly speaking, no longer any direct political significance." Marsh to Evarts, no. 736, February 8, 1878, Rome, *ID*, vol. 17.

<sup>18</sup> On February 20, 1878, Cardinal Gioacchino Pecci, Chamberlain of the Papal Court, was elected as successor to Pius IX. He took the name of Leo XIII. That same day Marsh sent a long statement of his views on the proceedings: "The Chamberlain of the Curia has been generally under-

remains of Pius IX was seen as, at least in part, the Church's own fault.<sup>39</sup>

stood not to be in the line of preferment, and the reputation of Cardinal Pecci for moderation was thought to form a still stronger objection to his choice by the College, but great efforts had been made by the Catholic Governments of Europe, strengthened by a powerful public opinion among political men to induce the Cardinals to agree in the selection of a man of the temper which is ascribed to Cardinal Pecci. . . . Certain minor arrangements of Cardinal Pecci during his *regency* as Chamberlain . . . are construed by many as indicative of comparatively liberal intentions and particularly of the purpose of abandoning the farce of a pretended restriction of the liberty of the Pope by the Italian Government. . . .

"I do not attach much consequence to any of these demonstrations, nor shall I to any initial professions of liberalism which may be made on behalf of the new Pontiff. . . .

"In the previous history of Cardinal Pecci, there is nothing to justify the expectations of a conciliatory course of action on his part. . . ." Marsh to Evarts, no. 741, February 20, 1878, Rome, *ID*, vol. 17.

About two weeks later, Marsh added more details of the election:

"On former occasions, the Pope, immediately after the proclamation of his election, has come out upon the balcony, and imparted his blessing to the multitude collected in the square in front of the place of holding the conclave. The new Pope did not show himself to the people *without* St. Peter's, but gave the benediction from a gallery *within* that Church. The alleged reason for this departure from ancient usage was the apprehension of expressions of disrespect towards the Pope from the crowd, an apprehension which, in the opinion of those who observed the crowd, was without foundation. . . .

"The ceremony of the enthronization of the new Pontiff, instead of being publicly celebrated in St. Peter's in the presence of the people, was performed in the small Sistine Chapel with closed doors, only a few known adherents to the Papal cause being admitted. It was publicly announced that after the ceremony the Pontiff would enter St. Peter's, by a lateral door, and give his benediction to the people from a gallery prepared for the purpose within the Church. A large number of persons, estimated at 30,000 or more . . . long waited the Pope's entrance. He, however did not enter the Church or give any public benediction, but returned to his private apartment after the ceremony, and no explanation was given the crowd. . . . The fear of an unseemly demonstration of disrespect is alleged as the Pope's motive for omitting his usual benediction. . . . The people . . . condemn the pusillanimity of the Pope, who, they now say, instead of possessing the firm and energetic character which have been claimed for him, is really, as is shown not by this act alone but by his whole administration so far, a weak, timid and vacillating man." Marsh to Evarts, no. 744, March 6, 1878, Rome, *ID*, vol. 17.

<sup>39</sup> Wurts described in great detail the insults perpetrated on the remains of Pius IX on the occasion of the transferral of the corpse from the

The worst feature of all, even with temporal power gone, the "moral prestige" of the pope, instead of declining was stronger than ever.<sup>20</sup>

In 1876 Marsh was skeptical of the accession of the Left in Italian politics.<sup>21</sup> His praises sounded chiefly His Majesty's loyal opposition, leaders such as Quintino Sella, the man of the future,<sup>22</sup> and Marco Minghetti, the

temporary resting place in the Basilica of St. Peter's to San Lorenzo in 1881. He rightly called the disorders, "disgraceful scenes," but went on to say: "Exaggerated accounts will, of course, be sent abroad and not tend to augment the sympathy of Catholic countries for Italy.

"There were provocations on both sides, though it must be said they came principally from the liberals. The Clerical party has already made use of this experience as evidence of the Pope's moral imprisonment, for 'if such gross insult and outrage were shown to the remains of a deceased Pontiff, what would be the reception given to a living one if he ventured to appear in the streets of Rome.'" Wurts to Blaine, no. 985, July 15, 1881, Rome, *ID*, vol. 18.

<sup>20</sup> "The moral influence of the Papacy . . . is as formidable as ever, and it can and does thus powerfully affect political action, but"—Marsh immediately added—"its power is exerted not by the chair of St. Peter, but by organizations which surround and control it, to such an extent as to render the personal will or character of the Pope a matter of little importance." Marsh to Evarts, no. 736, February 8, 1878, Rome, *ID*, vol. 17.

<sup>21</sup> Cf. Marsh to Fish, no. 594, March 28, 1876; no. 598, April 7, 1876, Rome, *ID*, vol. 16. Of Agostino Depretis, the parliamentary leader of the Left, Marsh wrote after another ministerial shuffle: "I should regret Mr. Depretis' return to the Ministry of Foreign Affairs partly because I doubt whether he could sustain himself before Parliament and partly because his habitual indecision, procrastination and inaction render official intercourse with him tedious and unsatisfactory." Marsh to Evarts, no. 800, November 30, 1878, Rome, *ID*, vol. 17.

<sup>22</sup> Marsh wrote in 1876 that Sella was "universally regarded as the 'coming man' who will be appealed to in any great national crisis." Marsh to Fish, no. 634, October 22, 1876, Rome, *ID*, vol. 16. Sella had been in Parliament since 1861 and had been minister of finance at three different times. He was largely responsible for the removal of the capital to Rome but had not identified himself with anti-clerical measures in general. He had sponsored the *macinato* and other revenue-raising measures. Marsh said of him further: "Mr. Sella, is among the most conspicuous men of our time, whether as a statesman, a parliamentary orator, or an influential leader of public opinion, and he has an European reputation as a man of wide scientific attainment and great intellectual power and culture." Marsh to Evarts, no. 670, May 10, 1877, Rome, *ID*, vol. 16.

accomplished orator.<sup>23</sup> He soon came to appreciate individual statesmen like Pasquale Stanislao Mancini,<sup>24</sup> but he had to admit that the Left was less distinguished as a group than its parliamentary opposite.<sup>25</sup>

The most heated political disputes in the Italian Chamber of Deputies in the last years that Marsh was at the American legation dealt with finance<sup>26</sup> and with foreign policy. Before the outbreak of the Russo-Turkish war, Marsh expressed the opinion that he regarded rumors of Italian designs on the South Tyrol and on Tunis as "wholly without foundation."<sup>27</sup> There appeared little immediate danger from the Irredentism and imperialism which the Left allowed to spread unimpeded. When, in May, 1877, it seemed that Austria might occupy Turco-Slavonic territory adjacent to Dalmatia, Marsh felt that there might be some counteracting movement on the part of Italy for a rectification of the Italo-Austrian frontier. "Although," he wrote, "the old hostility between Austria and Italy has, for some time, appeared completely extinguished, yet the mutual jealousy of the two governments and their respective populations would be easily roused, and the conflagration, which has broken out in the States of Eastern Europe may

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<sup>23</sup> "Mr. Minghetti . . . is one of the ablest Parliamentary speakers in Italy, is also a man of wide range of attainment and culture, and has few or no superiors in this country as a writer on political economy and kindred subjects. Worthy of special note are his Letters on Religious Liberty published in 1855. The views expressed by him in those letters were much in advance of European public opinion at that time, especially in Catholic countries, and even now, for Americans, to whom religious liberty is so much a matter of course that they have almost ceased to *think* on the subject, they have much both of interest and of novelty.

"As a minister of Finance in a former cabinet, Mr. Minghetti was not successful, but the economical condition of Italy has changed so much since that period, that a former failure afford no ground for predicting an unfortunate administration of the public exchequer by the same statesman at present." Marsh to Fish, no. 462, July 10, 1873, Rome, *ID*, vol. 14.

<sup>24</sup> Marsh felt that Mancini was "a very able jurist, and the most dexterous practitioner at the Italian bar." Marsh to Blaine, no. 963, May 25, 1881, Rome, *ID*, vol. 18. When Mancini became Minister of Foreign Affairs, Marsh expressed his satisfaction: "The nomination of Mr. Mancini is particularly acceptable to me, and I presume to most of my colleagues, because he is one of the few Italian statesmen possessed of a special legal training who have occupied that post, since the consolidation of the Kingdom of Italy, and our discussions of legal questions will be greatly facilitated by direct oral communication with the Head of the Department to which they belong." Marsh to Blaine, no. 967, May 28, 1881, Rome, *ID*, vol. 18.

<sup>25</sup> Cf. Marsh to Evarts, no. 800, November 30, 1878, Rome, *ID*, vol. 17.

<sup>26</sup> Cf. *supra*, pp. 101, 106, 158.

<sup>27</sup> Marsh to Fish, no. 636, October 24, 1876, Rome, *ID*, vol. 16.

find in this feeling one of the many causes which threaten its extension to the rest of the continent."<sup>28</sup> The war did not produce this effect, however, thought Marsh in November, 1877, when he attempted to show that the Italian people were more concerned with the instability of the French republican government than with *Italia Irredenta*. Everyone was interested in Francesco Crispi's recent visits to Berlin and Vienna. His reception there was taken as evidence that the journey was more than a recreational tour and "that his purpose was to sound the disposition of Germany and Austria-Hungary, and to pave the way for the negotiation of some treaty which should bind those powers to sustain Italy in case of Gallo-Papal attack." Such aggression, Marsh did not think very probable. Italy's greatest menace was, rather, the extreme destitution of at least three-fifths of the Italian population.<sup>29</sup>

In May, 1878, Marsh was very interested in the parliamentary debates which preceded Italy's participation in the Congress of Berlin. Count Luigi Corti, former Italian representative at Washington, now minister of foreign affairs, and soon to be delegate at Berlin, made a declaration on May 4 of the principles which he felt should underly the Berlin arrangements. The Treaty of 1856, he agreed with his opponents, ought to constitute the basis of negotiations, "but events have since occurred which cannot fail to have their natural effects."<sup>30</sup> Furthermore, His Majesty's government would not "disregard the principles which constitute the basis of our national existence." Did the delegate to Berlin have in mind the principle of nationalities? If so, Marsh could "hardly suppose that Count Corti seriously intended to proclaim as the settled policy of Italy, the apostolate of a doctrine which suggests so many political problems of apparently impossible solution."<sup>31</sup>

It is sufficiently notorious by now that Corti returned from Berlin with clean but empty hands. Marsh said that he had gathered from Benedetto Cairoli, the President of the Council, that Count Corti's action was "not only approved by the Ministry, but was in conformity with his instructions and with the settled policy of the present administration."<sup>32</sup> Marsh continued at length:

Indeed, it is certain that any movement on the part of the Italian plenipotentiaries at Berlin looking to a claim of additional territory as a set off to the occupation of Bosnia by Austria, would have met with no support from the Congress, but would have been resented by Austria in a manner that would infallibly have led to grave results, if not to immediate hostilities between that country and Italy. It is true that there has been a certain amount of popular

<sup>28</sup> Marsh to Evarts, no. 666, May 1, 1877, Rome, in *ibid*.

<sup>29</sup> Marsh to Evarts, no. 713, November 2, 1877, Rome, in *ibid*.

<sup>30</sup> Marsh to Evarts, no. 760, May 5, 1878, Rome, *ID*, vol. 17.

<sup>31</sup> Marsh to Evarts, no. 762, May 8, 1878, Rome, in *ibid*.

<sup>32</sup> Marsh to Evarts, no. 777, July 23, 1878, Rome, in *ibid*.



agitation on this subject, but the public excitement in reference to it has been greatly misrepresented in character, and exaggerated in amount, by the European press. There are, doubtless, individuals who look to the ultimate possession of the eastern shores of the Adriatic by the kingdom of Italy as a desirable and probable event, but few persons of intelligence believe that this can be accomplished within any calculable period, or that, in the present social condition of those provinces and of Italy, their acquisition would be other than a burden and a calamity to the latter. In fact, until the administration of criminal justice in Italy is so far reformed and assimilated to that of the other countries of civilized Europe as to afford a reasonable measure of security of life and property to her present population, the addition of hundreds of thousands of violent, sanguinary, and ungovernable semi-barbarians to the citizens would much aggravate the deplorable evils under which the central and southern provinces especially, and, in a somewhat smaller degree, all Italy, now suffer from the lawlessness of a large class of their people. I do not think, then, that a desire for the possession of Albania, or of any Turkish territory, can fairly be treated as an element in the present political dissatisfaction of the Italians with the results of the Congress, nor is that dissatisfaction by any means so deep or so pervading as it is represented by the British and French press. The meetings in behalf of what is called *L'Italia irredenta* have not been largely attended and but few politically influential persons have taken part in them. Their apparent numbers have been swelled by curious spectators, by International agitators, and, at Rome, by adherents, if not emissaries, of the Vatican, in fact, by malcontents of every shade, and they furnish no evidence of the existence of such a public sentiment as has been hastily assumed abroad.

There is, however, a strong and general feeling that the North Eastern limits of the kingdom of Italy ought to be extended so as to embrace all the territory geographically, or ethnologically belonging to it, and though the agitation of the question at present is inopportune, the claim will not be abandoned or cease to be a frequent source of agitation until the aspirations of Italy are at least partially satisfied.

Marsh regarded the claim to the Trentino as justifiable, "geographically, ethnologically, and historically," as well as militarily. This much admitted, he continued significantly in the same despatch:

The claim to Trieste and Istria rests on very different grounds. Trieste and its dependencies have been for five centuries Austrian possessions. They, indeed, formed a part of the Roman empire, yet it may fairly be urged that since the breaking up of that empire, they have never in any sense formed a part of Italy, though a portion of Istria belonged to Venice at a period when Venice herself was rather an oriental than an Italian state. The indigenous population of these provinces is Slavic, and though their commercial towns are to a considerable extent Italian in language and aspect, yet the mass of the citizens is not Italianized, nor is there satisfactory evidence that a majority of them desire a change of sovereignty. Austria might, not improbably, have been induced to surrender the Trentino to Italy, if the question had not been embarrassed by what

she considers an unfounded and vexatious claim; but it must be long before she will listen to the proposals for a cession of her important maritime possessions on the Adriatic, and the subject can never be approached without exciting great irritation in the Austrian people and its rulers.<sup>33</sup>

Marsh did not regard Corti's resignation in the autumn of 1878 as the result of hostile demonstrations of the frustrated masses. The minister of foreign affairs and some of his colleagues had turned in their portfolios because of their disagreement with Cairoli's recently enunciated ministerial policy. Marsh said that the precise differences of view had not been explained.<sup>34</sup>

The implications of Italian anger at French movements in North Africa were well comprehended by the American representative in Rome, who already in April, 1880, saw the probability that conflicting interests might soon lead to serious collisions.<sup>35</sup> While Franco-Italian relations were fast cooling,<sup>36</sup> the parliamentary Right in Rome was raising an outcry at the

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<sup>33</sup> *Ibid.*

<sup>34</sup> The most warmly discussed points in Cairoli's program were the proposed extension of the franchise and the reduction and final abolition of the *macinato*. Marsh to Evarts, no. 796, October 27, 1878, Rome, in *ibid.*

<sup>35</sup> ". . . The jealousy of Italy has long been excited by movements of France looking toward a speedy annexation of the Beylik of Tunis. . . . It is certain that the Napoleonic scheme of making the Mediterranean 'a French lake' will not be submitted to without resistance on the part of Italy and the other states bordering on that sea; and in the swift movement of modern political events, it is not improbable that the conflicting interests of rival states may soon lead to serious collisions." Marsh to Evarts, no. 881, April 17, 1880, Rome, *ID*, vol. 18.

<sup>36</sup> During the whole year before the Treaty of Bardo of May 12, 1881, which made Tunis a French protectorate, Marsh sent discursive reports to Washington on minor irritating incidents in North Africa. It was not always possible for him to gather complete and accurate information, but he made a straightforward and fairly objective exposition of what he knew. The general tenor is that both countries would have to bear the responsibility for the dire results of their antagonism. Cf. Marsh to Evarts, no. 894, June 12, 1880, and no. 898, confidential, July 27, 1880, Rome, *ID*, vol. 18. Here Marsh explained Italy's attempt to hamper French communications in Africa by having the Rubattino Company purchase a strategic railroad for which the French were bidding. No. 939, March 3, 1881, in *ibid.* mentioned that Italy now claimed Assab as a national colony rather than as the private commercial enterprise it had been assumed to be. Italian interest in Barca (old Cyrenaica) was also mentioned.

French movement of troops to Tunis, Italian suspicion and resentment,

administration's weak policy against the new Gallic peril. This denunciation, Marsh regarded as a kind of duplicity. What the Right really objected to was the fact that Italy had not stood up against Republican France. If it had been a question of Bonapartist France, there would probably have been no protest.<sup>37</sup> To the very end, Marsh feared Napoleonic influence in Italy. The death of the Prince Imperial in 1879 had made Prince Victor, eldest son of Prince Napoleon and Princess Clotilde, the presumptive head of the Bonaparte house. This young man could very easily, with papal collusion, curry enough favor in Italy to threaten the *status quo*.<sup>38</sup>

Marsh, therefore, watched eagerly the signs of an Italo-Austrian understanding.<sup>39</sup> He suspected that the visit of the King and Queen of Italy to Vienna in the fall of 1881 had more than a social purpose.<sup>40</sup> But Marsh did not refer at length to Italy's courting of Germany. He remained in ignorance of the Triple Alliance.<sup>41</sup>

The popular outcry that Italy was being left out of colonial spoils was difficult to estimate. Was the unrest fomented, spontaneous, or the surface expression in disguised terms of domestic social and economic misery? Public disorders seemed endemic in Italy.<sup>42</sup> Former petty sovereigns and

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and finally, the Treaty of Bardo were taken up in Marsh to Blaine, no. 946, confidential, April 8, 1881; no. 949, confidential, April 13, 1881; no. 956, April 30, 1881; no. 959, May 14, 1881, Rome, *ID*, vol. 18.

<sup>37</sup> Marsh to Evarts, no. 928, December 1, 1880, in *ibid*.

<sup>38</sup> Marsh to Evarts, no. 917, confidential, October 7, 1880, in *ibid*.

<sup>39</sup> Noting parliamentary discussions on Italian foreign policy in general, and the relations between Italy and Austria in particular, Marsh wrote: "On this point both the President of the Council and the Minister of Foreign Affairs gave the most explicit assurances of a firm purpose of maintaining the present friendly relations between the two states, and of discouraging all discussion, and repressing all movements, tending to the disturbance of the existing harmony and friendship between the Austro Hungarian empire and the Italian kingdom. I have no doubt these assurances will be fulfilled, and we may therefore regard some of the menacing clouds in the political horizon of Europe as completely dispelled. Marsh to Evarts, no. 874, March 22, 1880, Rome, in *ibid*.

<sup>40</sup> Cf. Marsh to Blaine, no. 1005, October 24, 1881; no. 1008, confidential, November 17, 1881; to Frelinghuysen, no. 1015, January 10, 1882, Rome, *ID*, vol. 19.

<sup>41</sup> The Alliance is dated May 20, 1882. Marsh died on July 24, 1882, but the Alliance was not yet generally known.

<sup>42</sup> Marsh's laments on the sad state of "public safety" in Italy were long and recurrent through twenty years of despatches. Often he coupled periodic rioting with general lawlessness and crime as the activities of the same groups.

Vatican fifth-columnists were blamed by the American legation, but by far the root problems were the unhealthy popular attitude to crime and the defective administration of justice.<sup>43</sup> All of these factors were intensified by the agitators of the International,<sup>44</sup> a far greater menace than Mazzinism ever was. Marsh kept his faith in Italy herself, but the foreign complications in which she was daily becoming more enmeshed, boded ill for the future. George Perkins Marsh saw general war on the horizon.<sup>45</sup> A merciful

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<sup>43</sup> Cf. Clay to Seward, no. 161, September 13, 1866, Florence, *ID*, vol. 11; Marsh to Fish, no. 520, October 6, 1874; no. 544, March 31, 1875, Rome, *ID*, vol. 15.

<sup>44</sup> Marsh's first detailed reference to the International was in Marsh to Evarts, no. 662, April 23, 1877, Rome, *ID*, vol. 16. He mentioned one more "seditious outbreak" recently suppressed in central and southern Italy, and went on to say:

"There have for some time existed in various parts of Italy numerous 'International' clubs, circles or lodges, but this is, so far as I know, the first organized aggressive manifestation of what is called the international spirit in Italy, though many individuals have long been known or believed to be meditating formal action upon subversive principles. The International clubs to which I have alluded have now been suppressed by the Government, but I do not know that evidence has been found to connect any of them with the insurgents or, upon any extensive scale, with each other in any definite plan of action. They appear to be generally mere cliques, consisting of a very few individual malcontents and sometimes only of a nominal organization without real active members. It has been even said that the police sometimes gets up professed International clubs, which put themselves in relation with those of a more serious character, and serve to make known to the government the real aims of these associations and their managers."

After the attempted assassination of King Humbert, references to the International became more frequent and the movement was taken more seriously. Cf. Marsh to Evarts, no. 798, November 19, 1878, no. 800, November 30, 1878; no. 802, December 10, 1878, Rome, *ID*, vol. 17; to Frelinghuysen, no. 1023, April 19, 1882, Rome, *ID*, vol. 19.

<sup>45</sup> Cf. Marsh to Blaine, no. 981, confidential, July 1, 1881, Rome, *ID*, vol. 18; to Frelinghuysen, no. 1016, January 30, 1882, Rome, *ID*, vol. 19. The very last detailed report of George Perkins Marsh mentioned again the burdensome Italian military expenditures, but concluded on a note at least faintly optimistic:

"There are symptoms of discontent among the laboring classes in Lombardy and elsewhere which, though not extensive enough to threaten any immediate danger, yet point to the existence of a popular feeling that, combined with the avowed hostility of the Church, may well excite serious ap-

Providence prevented his seeing what might lie beyond.

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prehensions as to the political future of Italy. Perhaps the greatest safeguard against revolt and revolution in Italy is to be found in the confidence so generally felt throughout the kingdom in the House of Savoy under its present wise and truly patriotic Heads, and I still hope that the Italian nation, which has suffered such severe trials under civil and ecclesiastical misgovernment may be spared a repetition of the horrors that accompanied the French Revolution towards the close of the last century.

"The present promising appearance of the principal crops throughout Italy is doing something to encourage and appease the classes that suffer most severely from public burdens, but the poverty of these classes is such that but for the vague hope of some great change for the better it could scarcely be endured." Marsh to Frelinghuysen, no. 1030, June 29, 1882, Rome, *ID*, vol. 19.

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# INDEX

(Modern authors mentioned in the text are included here.)

- Accessory Transit Company, 121-123.
- Adams, Charles Francis  
at Geneva Tribunal, 44.
- Agostini, Chevalier  
at Postal Conference, 82.
- Alabama* claims, 42-47.
- Amadeo I, King, 125, 148.
- Arbitration  
Cases of  
Brit.-Amer. private claims, 40-42;  
Costa Rica claims, 119-124;  
Geneva Tribunal, 42-47;  
Italo-Swiss boundary, 127-129;  
Span.-Amer. claims, 124-127.  
Proposal for compulsory, 129-130.
- Armstrong, David M., U. S. consul  
at Rome, 69.
- Art works, tariff rates, 104-105, 158.
- Artoni, Joseph  
on mission to Caprera, 12-13.
- Arthur, Chester A., U. S. President, xiii.
- Aspromonte, 21, 56, 58, 151.
- Austro-Italian rapprochement, 175.
- Austro-Prussian War, 50, 54-55, 100, 163.
- Bancroft, George, xvii;  
Mediator between Italy and Mex., 146.
- Banks, Gen. Nathaniel B., 20.
- Barbavara, Don Giovanni B., 83, 85.
- Barbolani, 61, 130.
- Bardo, Treaty of, 174n.-175n.
- Bartholdi, M.  
Commissioner, Span.-Amer. claims, 126.
- Baruffi, Giuseppe Filippo, xv.
- Bassecourt mission, 6.
- Beach, Mrs. B. P., 115.
- Belcher, Fluvell, 123.
- Bertinatti, Giuseppe, It. envoy to U. S., xiin., xiii, 1, 7, 33;  
and claims convention, 37-38;  
Explanation of Aspromonte, 21;  
Umpire, Costa Rica claims, 121-124, 127.
- Binssee, Louis B., papal consul, 73.
- Blackfan, Joseph  
at Postal Conferences, 86.
- Blair, Montgomery  
at Postal Conferences, 81-82.
- Blanc, Baron Alberto, It. envoy to U. S., xiii, 155;  
Umpire, Span.-Amer. claims, 126-127.
- Blanco, Antonio Guzman, Venezue-  
lan dictator, 134-135; 144-145.
- Botta, Vincenzo, 89.
- Brin, Benedetto, 87.
- Brown, David, Frank, and Lloyd, 110-111.
- Brumidi, Constantino, 89.
- Burnside, Gen. Ambrose B., 20.
- Cabrini, Mother Francis, 89.
- Cairoli, Benedetto, President of the Council, 172, 174.
- Canby Claims Commission, 38.
- Canisius, Theodore, U. S. Consul at Vienna, and Garibaldi, 23-28.
- Canagalli, Romeo, 35.
- Catholic Church, in Italy, xv-xvi, 66-72, 158, 161, 166-170.
- Catholic Powers, 21, 52.
- Cattabene, Col., 28-29.
- Cavour, Count Camillo Benso di,  
Foreign Minister, xii, xiii, 162;  
Attitude toward Civil War, 4, 8;  
Illness and death, 9, 10.
- Cerruti, Marcello, It. envoy to U. S., 61, 100.
- Chersi, Livio, xi.
- Chapperon, It. envoy to Paraguay, 143.
- Chirico, Cpt., 6.
- Cilibrizzi, Saverio, 101.
- Civil Rights Bill, 50.
- Civil War, xiii, xvi, 1, 5, 56, 78, 81, 96, 98, 99, 106, 150, 152;  
Aftermath 35-48; 152;  
and Italy, 1-34, 150-152, 158;  
Brit.-Amer. claims, 40-47, 152;  
Claims of Italians in U. S., 37-40;  
Maritime affairs, 1-8;  
Military affairs, 8-34.
- Civita Vecchia, 4, 50.

- Claims convention for Ital. claims, 37-38.  
 Cluseret, Col. Paul Gustave, 19-20, 155.  
 Clay, Green  
     and Garibaldi, 56-57, 59-60.  
 Cockburn, Sir Alexander, Lord Chief Justice,  
     at Geneva Tribunal, 44-46.  
 Collinses (*alias* Cleveland), 117.  
 Commerce, Italo-American, 103-106.  
 Confederacy, recognition of, 1, 8, 9, 150.  
 Congress of Berlin, 172-174.  
 Conscription, in Italy, 96.  
 Consular Convention, 106-117, 130.  
 Consuls, 3, 7, 72-73, 106-107.  
 Corti, Count Luigi, It. envoy to U. S., xiii, 97, 101, 124, 140, 155;  
     Asks about Church in U. S., 70-72;  
     at Congress of Berlin, 172;  
     Explanation of Law of Guarantees, 70;  
     Resignation, 174;  
     Umpire, Brit.-Amer. claims, 40-42, 119.  
 Costa Rica claims, 119-124.  
 Crane, Dr. Charles, 35.  
 Creswell, John A. J., 85.  
 Crispi, Francesco, 101;  
     and Garibaldi, 57, 58;  
     Visits Berlin and Vienna, 172.  
 Cuba, disturbances in, 125-127;  
     *Virginus* affair, 147-148.  
 Dahlgren, Ad. John, 77, 78.  
 Dahlgren, William, *see* Rohan, William de.  
 D'Araujo d'Itajuba, Marcus Antonio  
     at Geneva Tribunal, 44, 46.  
 D'Asti, Rev. Agostino, 33-34.  
 Declaration of Paris, 2.  
 Dempsey, James, 110.  
 Depretis, Agostino, 51, 80, 170n.  
 Desertions from Italian navy, 7, 31-32.  
 Dillon, Romaine, 8, 9.  
 Diplomatic relations, U. S. and Italy, 1;  
     Available surveys of, xi;  
     Description of, xii, xiii, 154-155.  
 D'Ostiani, Count Fe, 139-142.  
 DiSavio, Tomaso, 87.  
 Edmunds, Sen. George F., xv.  
 Emancipation, and Garibaldi, 10-11, 14-15.  
 Emigration, from Italy  
     Attitude of Ital. government toward, 92-93, 159;  
     Causes of, 87-88;  
     Characteristics of, 88-89;  
     Problems of, 87-94;  
     Treaty regarding, 90-91, 97.  
 England, *see* Great Britain.  
 Enlistment, of Italians  
     in Confederate service, 34;  
     in Federal army, 8, 18-19; 28-30;  
     Claims of fraud, 30-33, 37.  
 Evarts, William, Secretary of State, 73, 87, 130.  
*Evening Post*, New York, 117-118.  
 Extradition Treaty, 117-118.  
 Extra-territoriality  
     in Egypt, 37;  
     in Japan, 139;  
     in Morocco, 131-132.  
 Fairchild, Gen. Lucius, 131-132.  
 Farragut, Ad. David G., 36, 62.  
 Faulkner, Charles, 79.  
 Fava, Baron Xavier, It. envoy to U. S., 157.  
 Finance, Italian, 67-69, 99, 101, 106, 158, 171.  
 Finzi, Joseph, 79.  
 Fish, Hamilton, Secretary of State, xiii, 73, 125, 134-135;  
     and Commercial Treaty, 101;  
     Biography, 42n-43n.;  
     Despatch no. 266 on Cuba, 147;  
     Praises Corti, 42.  
 Florio Company, 104.  
 Foerster, Robert, 40.  
 Forced loans, 100-102.  
 France, xvi, 2, 21, 49, 50, 52, 55, 56, 60, 63, 85, 90, 131, 132, 133, 134, 138, 145, 150, 156, 174, 175.  
 Franco-Prussian War, 51, 62-63.  
 Fraser, Robert, 114-115.  
 Fritz, Joseph, 110.  
 Garfield, James, U. S. President, 51.  
 Garibaldi, Gen. Giuseppe, xi, 8, 18, 61, 87, 88, 150-151, 161;  
     Approves Cattabene offer, 28;  
     Aspromonte, 21, 56, 58, 151;  
     *Autobiography* silent on U. S. offer, 23n.;  
     Blames Rattazzi, 58, 59n.;  
     Causes fear of Socialist demonstration, 64-65;  
     Claim to American citizenship, 22, 56, 59-60;

- Death and tributes to, 65-66;  
 in Austro-Prussian War, 55;  
 in Franco-Prussian War, 62-63;  
 in Parliament, 63-64;  
 Marsh asks privately about, 22-23;  
 Mistakenly listed as U. S. agent,  
 61-62;  
 Movement in 1867, 50, 55-61;  
 Offer of Canisius to, 23-24;  
 Offers services to U. S., 25-26, 28-30;  
 Opinions on Catholic Church, 66;  
 Palermo visit, 65;  
 Proponent of *Irredentism*, 64;  
 Relations with Rohan, 76-80;  
 Rumored plot with Farragut, 62;  
 Session in Genoa, 20;  
 U. S. army command offered to,  
 10-16, 151;  
 Visited by Clay, 59-60;  
 "Washington-Garibaldi Legion," 29.  
 Gay, H. Nelson, writings on Garibaldi, xi, 11n.-12n., 23n., 30.  
*Gazzetta Ufficiale*, Rome, 8, 55, 93n.  
 Geneva Tribunal, 42-47, 164.  
 Germany, xvi, 85, 90, 132, 133, 134, 135, 136, 138, 172, 175.  
 Gianali, Charles Albert, 75.  
 Godard, Eugene, 18.  
 Grant, Gen. Ulysses S., U. S. President, 36, 51, 95, 151.  
 Granville, Lord Granville George Levensongower, Foreign Secretary, 46.  
 Great Britain, 2, 4, 5, 27, 40-47, 85, 90, 114, 131, 132, 135, 138, 150, 152, 155.  
 Grist tax, *see* *Macinato*.  
 Grotius, Hugo, 159.  
 Gurney, Russell  
   Commissioner, Brit.-Amer. claims, 40.  
 Hale, James, 37.  
 Hale, Robert Stafford  
   Commissioner, Brit.-Amer. claims, 40;  
   Tribute to Corti, 41.  
 Halleck, Gen. Henry W.  
   Negatives "Washington-Garibaldi Legion," 29;  
   Peninsular campaign, 20.  
 Hardie Board of Claims, 38;  
 Harrington, Isaac, 122-123.  
 Hayes, Rutherford B., U. S. President, 143;  
   —Tilden election, 51.  
*Herald*, New York, 92.  
 Humbert I, King, xiii, 51, 96, 175;  
   in Marsh's opinion, 166.  
 Immigrants to U. S., 38;  
   Difficulties on return to Italy, 94-96, 159;  
   Number of, 89, 91-92;  
   Objectionable classes of, 93-94;  
   Types of, 89;  
   *see* Emigration, from Italy.  
 International, the, 176.  
 International Conference, Madrid, 131-132.  
 International Exhibitions and Conferences, 76.  
 International Postal Conferences, 81-82, 85-86.  
*Irredentism*  
   Garibaldi and, 64;  
   in Marsh's opinion, 171-174.  
 Japan, Italian relations with, 138-142.  
 Jews, in Wallachia and Moldavia, 132-133.  
 Johnson, Andrew, U. S. President, 49, 51, 84.  
 Joint action, Italo-American cases of  
   Chile and Peru, 137-138;  
   Colombia, 138;  
   Egypt, 132;  
   Moldavia and Wallachia, 132-133;  
   Morocco, 131-132;  
   Spain, 147-148;  
   Tunis, 130-131;  
   Venezuela, 133-137.  
 Kane, D. P., 87.  
 Kane, Sgt. James, 35.  
 Kasson, John  
   at Postal Conferences, 82-84.  
 Kidnapping, extraditable offence, 118.  
 King, Jonas, Missionary, xv.  
 King, Rufus, U. S. minister to Papal States, 36-37.  
 LaMarmora, Gen. Alfonso, 38, 83, 99;  
   in Marsh's opinion, 163.  
 Lanza, Domenico, President of the Council, 51.  
 Law of Guarantees  
   and papal right to diplomatic corps, 70, 73;  
   in Marsh's opinion, 167-168;  
   Official explanation of, 70.  
 Lederer, Baron  
   Commissioner, Span.-Amer. claims, 126.

- Left, the Parliamentary, 51, 58, 101, 170.
- Leo XIII, Pope  
in Marsh's opinion, 168-169n.
- Lewenhaupt, Count Carl  
Commissioner, Span.-Amer. claims, 126.
- Lincoln, Abraham, U. S. President, xiii, 18;  
and Garibaldi's offer, 26, 29n.;  
Assassination, 35-36, 49-50, 151;  
Italian memorials to, 35-36.
- Long, Col. Charles E., 5, 140.
- Lopez, Francisco Solano, 142-143.
- Loundes, James  
Commissioner, Span.-Amer. claims, 126.
- Lowenthal, David, 30.
- Lucci, 148.
- McClellan, Gen. George B., 20.
- McDowell, Gen. Irvin, 11.
- Macinato*, 101, 106.
- McMahon, Martin T., U. S. minister to Paraguay, 143.
- Madrid  
Conference of, 131-132;  
Italian aid to U. S. at, 147-148.
- Mancini, Pasquale Stanislao  
in Marsh's opinion, 171;  
Principle of nationalities, 159-160;  
Proposal for compulsory arbitration, 129-130;
- Marriage, of Americans in Italy, 96.
- Marsh, Caroline Crane, xiv, 157.
- Marsh, George Perkins, U. S. minister to Italy, 1, 18, 56, 87, 124, 135, 136, 142, 152-153, 155-157;  
and apprehension of Surratt, 36-37;  
and Commercial Treaty, 97-106;  
and Consular Convention, 106-117;  
and Convention for Protection of Emigrants, 90-91;  
and Garibaldi  
asks about enlistment of, 22-23, 26;  
co-operates with American friends of, 61;  
denies Farragut plot with, 62;  
fears socialist activity of, 64-65;  
importuned to transport to Caprera, 60;  
investigates erroneous listing of, 61-62;  
negotiates Cattabene offer, 28-29;
- opinion of, 16, 20, 61, 62-63, 66;  
reports death of, 65;  
reports legislative plans of, 63-64;  
upholds Sanford's relations with, 17n.
- and Naturalization Treaty, 94-97;  
and Philadelphia Centennial, 73-75;  
and Postal Convention, 83-84;  
and Ricasoli, 4n., 19-20, 156, 163-164;  
Biography, xiii-xvii;  
Comments on Italian finance, 67, 68, 69;  
Despatches of, xi, xv, xvi, 51n.-52n.;  
Discusses Fish's circular, 147-148;  
Expresses appreciation of Sclopis, 47-48;  
First audience with the King, 10;  
Importuned by Rohan, 76-80;  
Inquires about Tunis, 107-110, 130-131;  
on prevalence of crime in Italy, 118;  
Opinions on Catholic Church, 66-72, 166-170;  
Opinion of Rattazzi, 22;  
Opinion of Risorgimento denouement, 161-177;  
Opinion of September Convention, 51-52;  
Praises Cluseret, 19;  
Publishes warning on emigration, 93;  
Question of Jews in Wallachia and Moldavia, 132-133;  
Regrets not having known Cavour, 9;  
Reports on Austro-Prussian War, 55;  
Reports on shipping decree, 7-8;  
Stop-off in England, 9, 155;  
Suggestions for arbitrator, 43;  
Transfer of legation offices, 53-54;  
Umpire, Italo-Swiss boundary, xvi, 127-129.
- Maximilian, Emperor, 145
- Mazzinism, 166, 176.
- Melegari, Luigi Amadeo, 27-28, 87.
- Menabrea, Gen. Count Luigi, 91;  
Forms government, 58;  
Negotiates for Naturalization Treaty, 95-96n.;  
Reports rumor of plot, 62;  
Sale of Church property, 68-69;  
Suggested as arbitrator, 43.

- Mentana, 58.  
 Mexico  
   Claims of Italians in, 146-147;  
   Italian relations with, 145-146.  
 Minghetti, Marco, President of the  
   Council, 51, 98;  
   in Marsh's opinion, 170-171;  
   Rohan appeals to, 78-79;  
   Suggested as arbitrator, 43.  
 Mixed commission  
   Proposed for Italian claims, 38;  
   Settlements, *see* arbitration.  
 Mohle, at Postal Conference, 82.  
 Molina, Don Luis  
   Commissioner, Costa Rica claims,  
   121.  
 Mormons, 93-94.  
 Morocco, extra-territoriality in, 131-  
   132.  
 Mutual support, Italo-American cases  
   of  
   in Mexico, 145-147;  
   in Paraguay, 142-143;  
   in Spain, 147-148;  
   in Uruguay, 142, 144;  
   in Venezuela, 144-145;  
   in Zanzibar, 148.  
 Napoleon III, Emperor, 52, 65, 66;  
   and Rattazzi, 22, 58;  
   in Marsh's opinion, 161-163;  
   Memorial replaced, 64.  
 Napoleonic influence in Italy, 175.  
 Naturalization Act, 81n.  
 Naturalization Treaty, unconsum-  
   mated, 94-97, 101, 158;  
   Problems arising from lack of,  
   96-97.  
 Navy, Italo-American policy, 5-6;  
   *see also* ships.  
 Nicaraguan Transit Company, 123.  
 Nicolson, Harold, 154.  
 North Africa, French in, 174-175.  
 Note found in a bottle, 87.  
 Oil, Italian duties on, 105-106.  
 Onorato, Benedetto, 6.  
*Opinione*, Rome, 57, 93n.  
 Orato, Niccolino, 33.  
 Otto, William T.  
   Commissioner, Span.-Amer. claims,  
   126.  
 Paca, William, 89.  
 Paget, Sir Augustus, 43.  
 Pagni, at Postal Conference, 82.  
 Palermo, consular difficulties at, 110-  
   112, 114-115.  
 Papal Government, 69;  
   and Surratt, 36;  
   Recognition of Confederacy, 3.  
 Papal States, 36, 58.  
 Parallelism between events in Italy  
   and in U. S., 49-51.  
 Paraguay, civil war, 142-143.  
 Pasolini, Count Giuseppe, 43.  
 Passing between lines, Civil War,  
   33-34.  
 Perry, Amos, U. S. consul at Tunis,  
   107-110.  
*Perseveranza*, Milan, 93n.  
 Peru-Chile War, 137-138.  
 Philadelphia Centennial  
   and question of papal consuls, 72-  
   73;  
   Italian part in, 73-76, 152, 158.  
 Pius IX, Pope  
   Declines Law of Guarantees, 70;  
   in Marsh's opinion, 168;  
   Outrage against remains of, 169-  
   170.  
 Plata claims of Italy, 142, 153.  
 Pope, John, 20.  
 Pope, the, in Marsh's opinion, 170.  
 Postal Conventions, *see* Universal  
   Postal Union.  
 Potestad, Marquis de  
   Commissioner, Span.-Amer. claims,  
   126.  
 Principle of nationalities, 159-160;  
   in Marsh's opinion, 172.  
 Prouty, Cheyney R., 87.  
 Public Opinion, 4, 21, 57, 155.  
 Public safety in Italy, 117-118; 175-  
   176.  
 Pulasky, 19.  
 Quartering troops in Italy, 96.  
 Quiggle, J. W., U. S. consul at  
   Antwerp, and Garibaldi, 10-12,  
   15-16, 17, 62.  
 Randall, Alexander W., 84.  
 Rattazzi, Urbano  
   and Garibaldi, 23n., 56-57, 58-59n.;  
   and Napoleon III, 22, 58;  
   Marsh's opinion of, 22;  
   New ministry, 20;  
   Sale of Church property, 68.  
 Raynor, Kenneth  
   Commissioner, Span.-Amer. claims,  
   126.  
 Recognition  
   of the Confederacy, 1, 2, 3, 8, 9,  
   150;



- of Italian rule of papal territory, 69.  
 Reconstruction, xiii, 158.  
 Reconstruction Act, 50.  
 Republic, in Italy, 22, 62, 165.  
 Rexford, Benjamin T.  
   Commissioner, Costa Rica claims, 121.  
 Ricasoli, Baron Bettino, xiii, xv, 156;  
   Attitude toward Civil War, 4;  
   Biography, 4n.;  
   in Marsh's opinion, 19-20, 163-164;  
   Suggested arbitrator, 43.  
 Riceputi, Luigi, 31-32.  
 Right, the Parliamentary, 170-171, 175.  
 Risorgimento, xi, xiii, xvii, 30, 87, 88;  
   —denouement, 161-177.  
 Rohan, William de, 76-80, 152.  
 Roman Question, xvi, 49, 70, 72, 102, 152, 162.  
 Rome, 14, 52, 54, 69, 80, 93, 102, 103, 140.  
 Rossi, Alexander, 74-75.  
 Russell, Thomas, 144-145.  
 Sanford, Henry Shelton, U. S. minister to Belgium, and Garibaldi, 11-17.  
 San Francisco, friends of Garibaldi at, 61.  
 Sardinia, 133;  
   Diplomatic relations with U. S., 1;  
   Laws relating to the Church, 67;  
   Treaty of 1838, in., 7, 98, 110, 112, 113.  
 Sawyer, Judge Lorenzo, 112.  
 Schuyler, Eugene, U. S. consul at Rome,  
   Report on Italo-Amer. trade, 103-104.  
 Sclopis, Count Frederic  
   Arbitrator, Geneva Tribunal, 43-48, 158.  
 Scott, Gen. Winfield, 11.  
 Segar, Joseph  
   Commissioner, Span.-Amer. claims, 126.  
 Sella, Quintino, It. minister of finance, 47, 158;  
   in Marsh's opinion, 170.  
 September Convention, xvi, 53, 55;  
   Delays Commercial Treaty, 99;  
   Delays Postal Convention, 83-84;  
   Root of Italian problems, 52;  
   Terms, 49-50.  
 Seward, William H., Secretary of State, xiin., xiii, 130, 155;  
   and Commercial Treaty, 100-101;  
   and Garibaldi, 11, 17-18, 24-25, 61-62;  
   and Naturalization Treaty, 94-95, 158;  
   Biography, 2n.;  
   Regrets death of Cavour, 9n.;  
   Rejoinder to Ricasoli, 4-5;  
   Relations with Bertinatti, 33, 124;  
   Suggests mixed commission for claims, 37-38;  
   Upholds Italy, 54-55.  
 Sherman, Gen. William T., 49.  
 Ships  
   American, *American Eagle*, 114;  
   *Constellation*, 3; *E. H. Foster*, 116; *Ella*, 6; *Franklin*, 78, *Italy*, 92; *J. Godfrey*, 110, 112; *Oregon*, 78-79; *Perry*, 9; *Queen*, 92; *S. Cloud*, 7; *Sophia*, 6; *Supply*, 74; *Trent*, 4; *Virginus*, 145, 147-148, 154; *Washington*, 76, 78.  
 Confederate, *Alabama*, 40, 42, 46, 152; *Savannah*, 9; *Tuscaloosa*, 46.  
 French, *L'Helvetie*, 77; *L'Amsterdam*, 77; *Le Belgium*, 77, *Magère*, 110.  
 Italian, *Aurora*, 6; *Carmela*, 117; *Lorenzo*, 32; *Maria Giuseppina*, 112; *Nuova Grazia*, 7; *Re D'Italia*, 6, 31; *San Giovanni*, 5.  
 Sickles, Gen. Daniel E., U. S. minister to Spain, 125.  
 Soyeshima, Foreign Minister  
   and Italo-Japanese treaty, 139-142.  
 Spanish-American claims, 124-127.  
 Spezia, 3, 59.  
 Staempfli, Jacques  
   at Geneva Tribunal, 44, 46.  
 Steffani, Cpt. de, 29.  
 Stephan, de, 85.  
 Stellwagen, Cpt. H. S., 3.  
 Stewart, Joseph J.  
   Commissioner, Span.-Amer. claims, 126.  
 Surratt, John H., 36-37, 117, 151.  
 Switzerland, 127-129.  
 Syllabus of 1864  
   in Marsh's opinion, 166-167n.  
 Tantesio, Giovanni Battista  
   at Postal Conferences, 84, 86n.  
 Taxation, of Americans in Italy, 96, 100-102, 160.

- Tedesco, Filippo and Antonio, 33.  
 Telfener, Count, 97.  
 Temporal Power, xv, 21.  
 Tenure-of-Office Act, 50-51.  
 Third Powers, Italo-American relations with, 119-149; *see also* arbitration, joint action, mutual support.  
 Tobacco, In., 105.  
 Torlonia, Prince Alexander, 64, 75.  
 Trabuco, Michael, 39.  
 Transfer of Italian capital, 50, 53-54, 69, 84.  
 Treaties, Italo-American, 81, 118;  
     Commercial Treaty, 96, 106;  
     Consular Conventions, 106-117;  
     Extradition Treaty, 117-118;  
     Postal Conventions, 81-87;  
     Trade-marks Convention, 106;  
     Unconsummated Emigration Treaty, 88-91;  
     Unconsummated Naturalization Treaty, 94-96, 158;  
     Unconsummated Navigation Treaty, 2, 81.  
 Treaty of Washington, xi-xii, 51;  
     Alabama claims, 42-47;  
     Private claims, 40-42.  
 Trecchi, Col. Caspare, 13, 14, 25.  
 Trent affair, 4.  
 Trentino, Italy's claim to, 173-174.  
 Trescot, William Henry, 138.  
 Trevelyan, George M., 58.  
 Tribune, New York, 92.  
 Trieste and Istria, Italy's claim to, 173-174.  
 Trimble, H. W., 115.  
 Triple Alliance, xvii, 51, 175.  
 Tripoli, 113-114.  
 Tunis, 107-110, 130-131.  
*Ubi Nos*, 70.  
 Universal Postal Union, 85-86.  
 Uruguay, Italian claims, 142-144.  
 Vanderbilt, Cornelius, 121.  
 Vatican Council, 69, 166, 167.  
 Vattel, Emerich de, 159.  
 Venezuela  
     Italian claims, 144-145;  
     Italo-American action, 133-137.  
 Vico, Giambattista, 159-160.  
 Victor Emmanuel II, King, xii, xiii, xv, 1, 9, 37, 47, 53, 70;  
     and Garibaldi, 4, 14, 58;  
     Approves Postal Convention, 83;  
     Enters Rome, 69;  
     in Marsh's opinion, 164-165;  
     Marsh's first audience with, 10.  
 Vidal, Michel, U. S. consul at Tripoli, 113-114, 160.  
 Visconti-Venosta, Emilio, Foreign Minister, 43, 155;  
     and Emigration Treaty, 91;  
     Approves Postal Convention, 83;  
     Publishes circular on emigration, 93;  
     View of Cuban situation, 147-148.  
 Walker, William, 120-121.  
 Washburn, Charles Ames, U. S. minister to Paraguay, 143.  
 Washington, Treaty of, *see* Treaty of Washington.  
 West Nevens, Capt. J., 79.  
 Wheaton, Henry, 43n., 73, 111.  
 Zanzibar, 148.

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